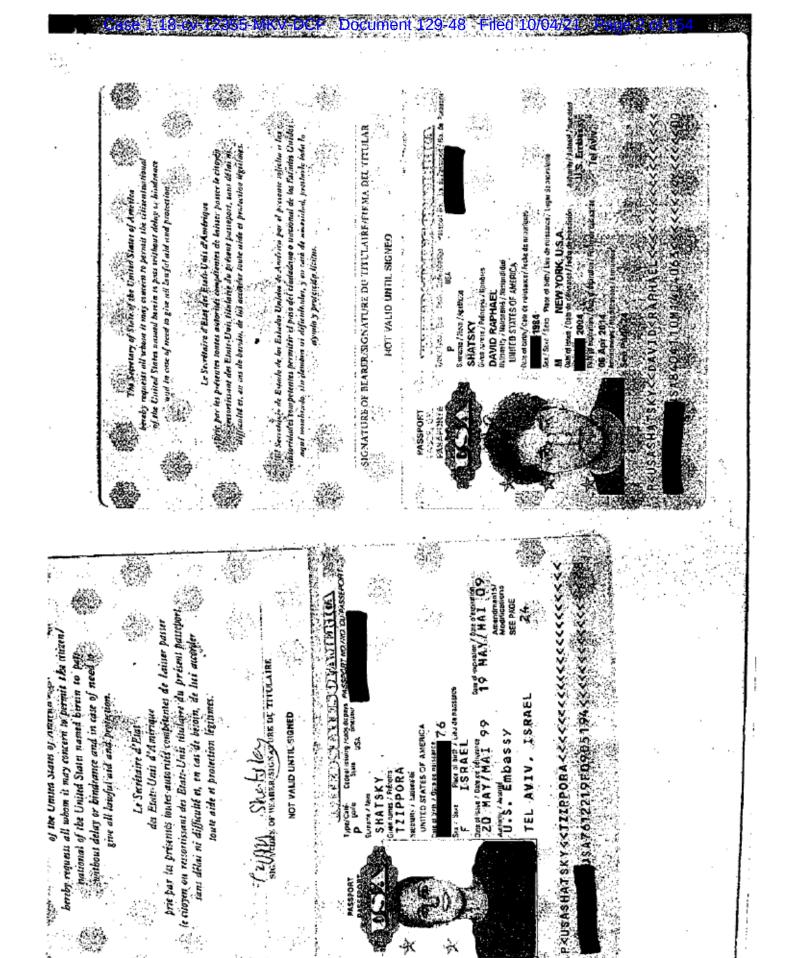
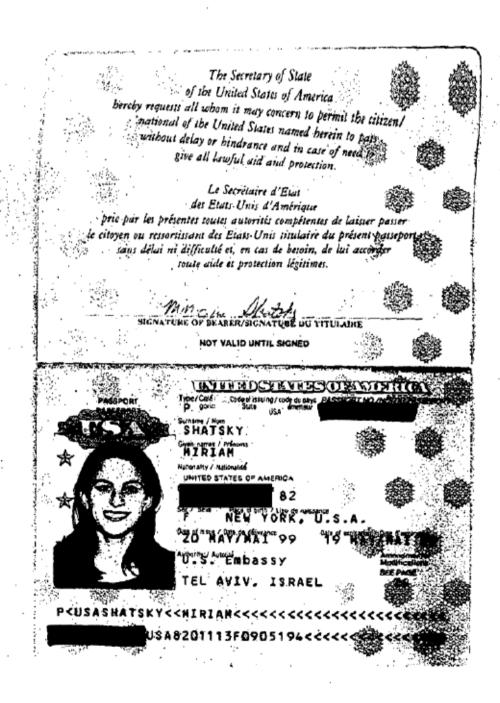
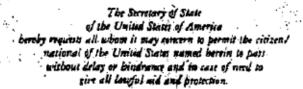
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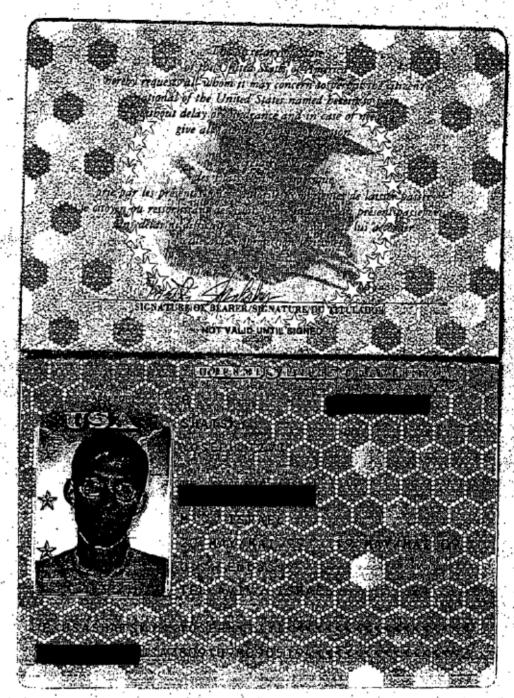




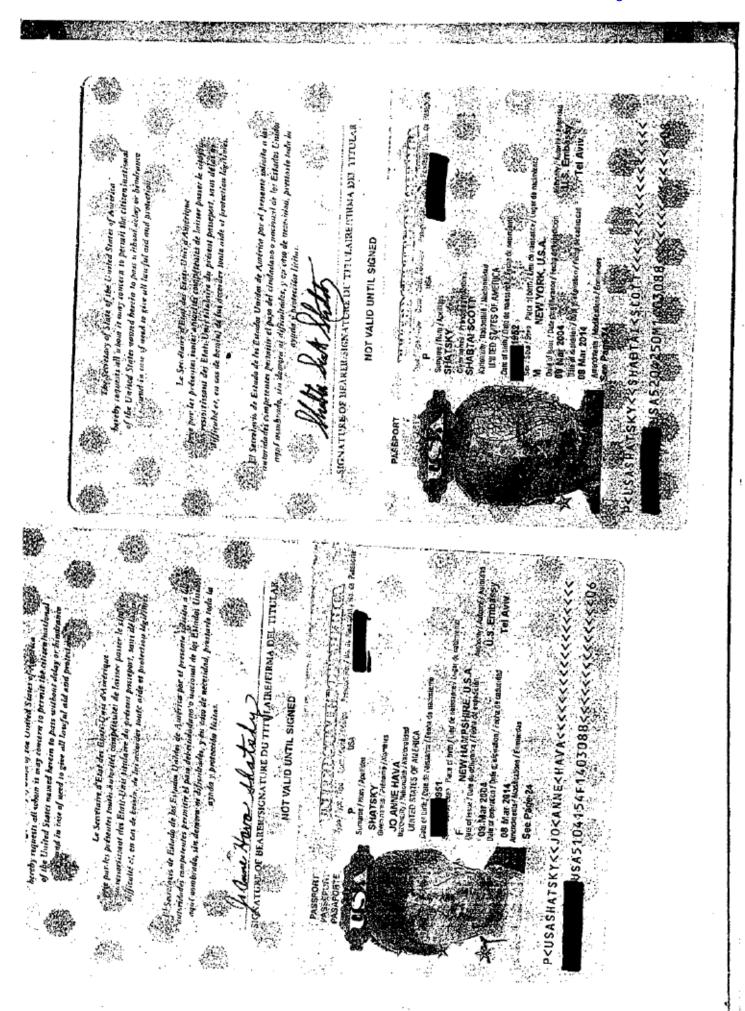
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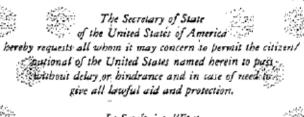
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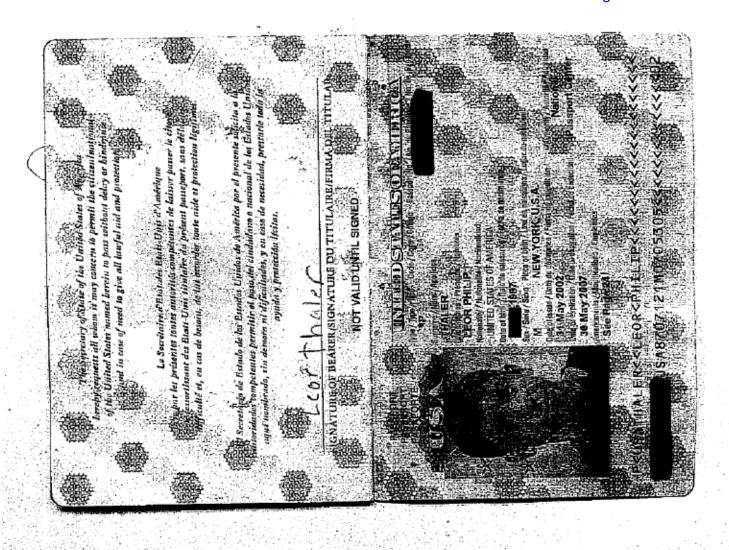
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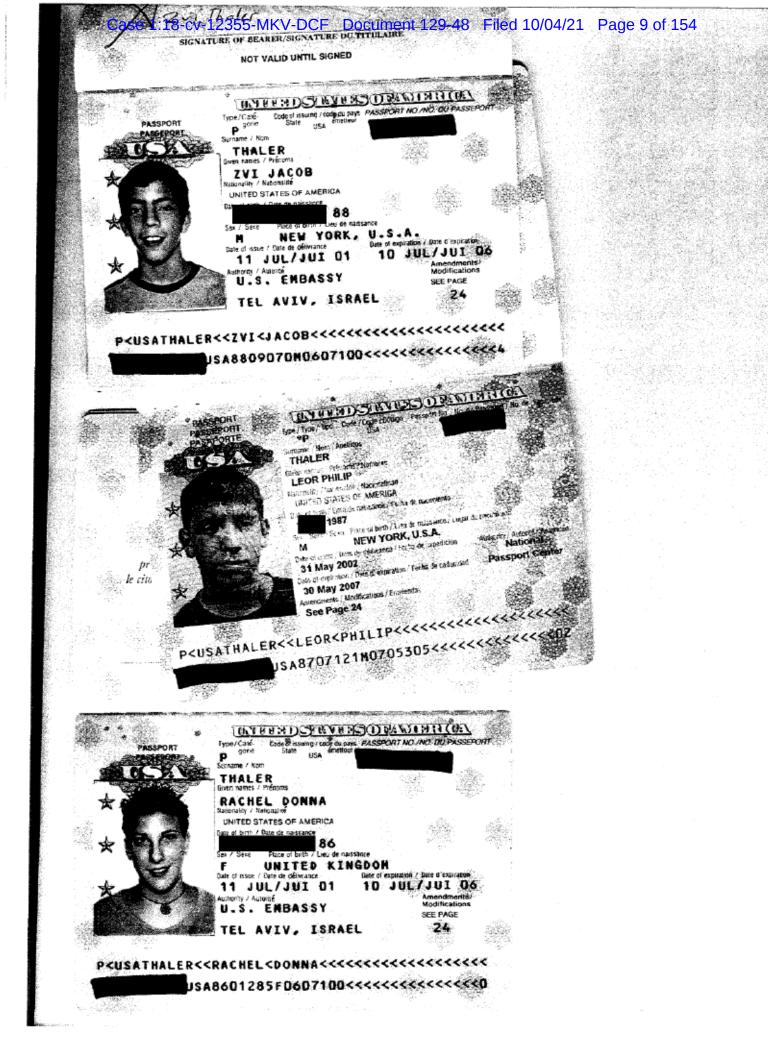
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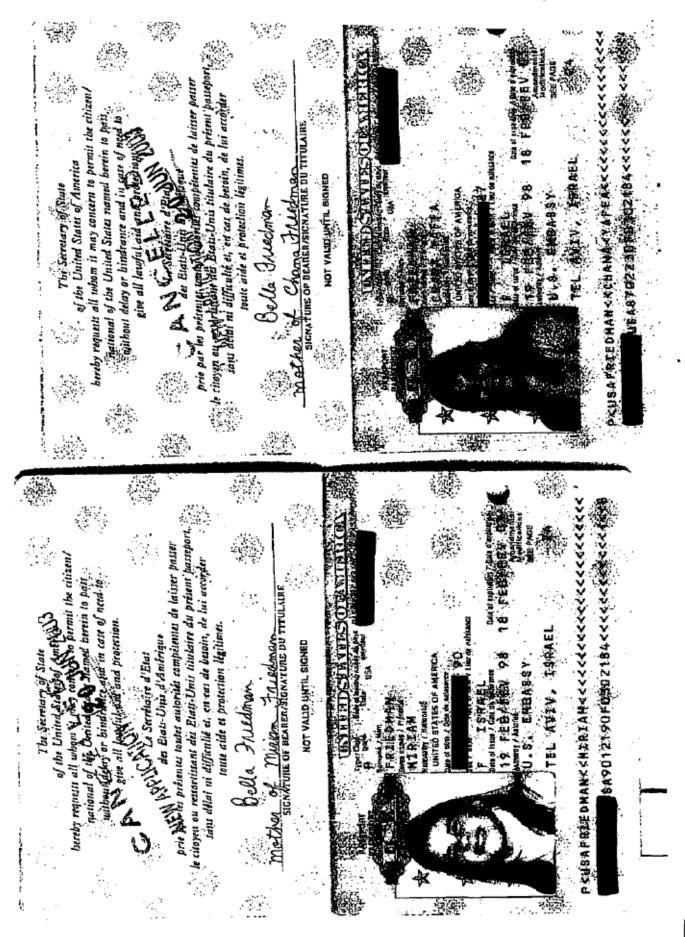
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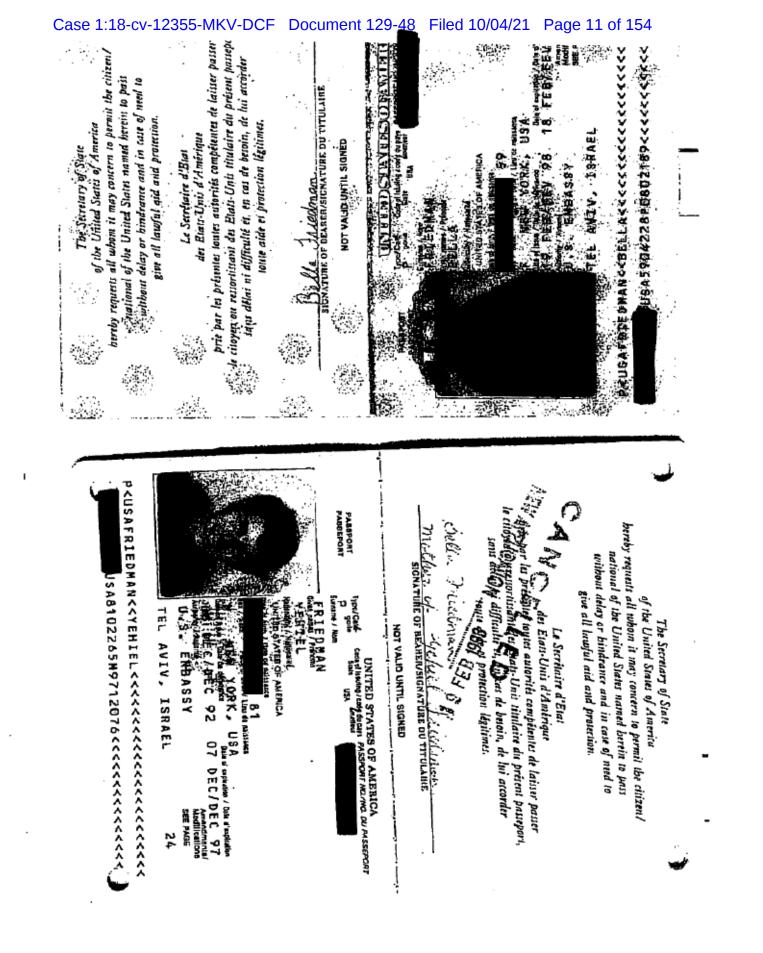


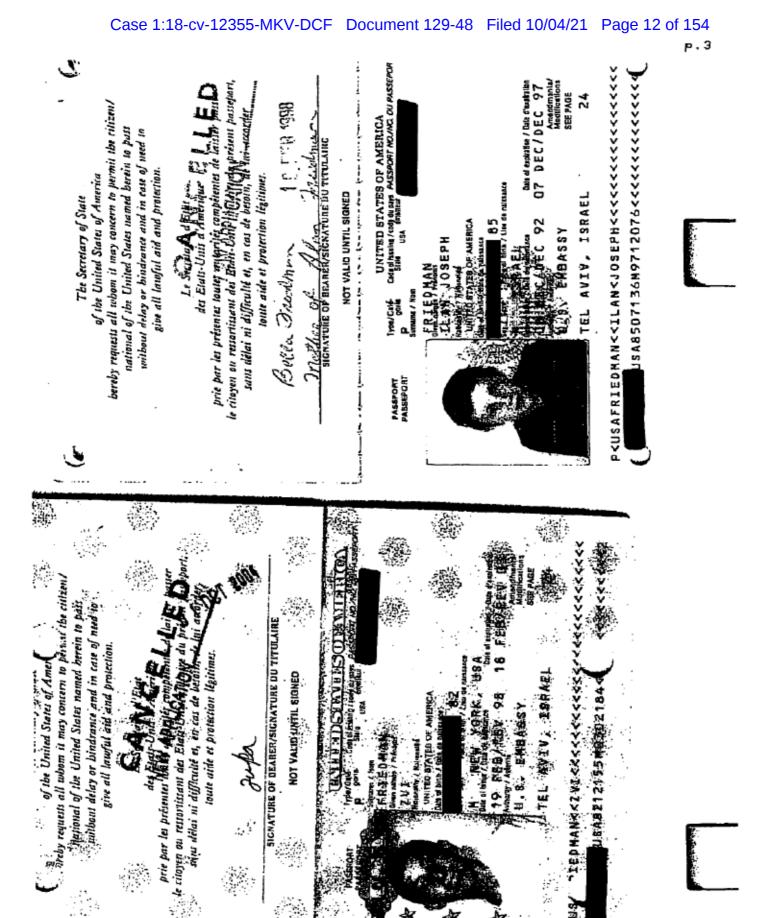


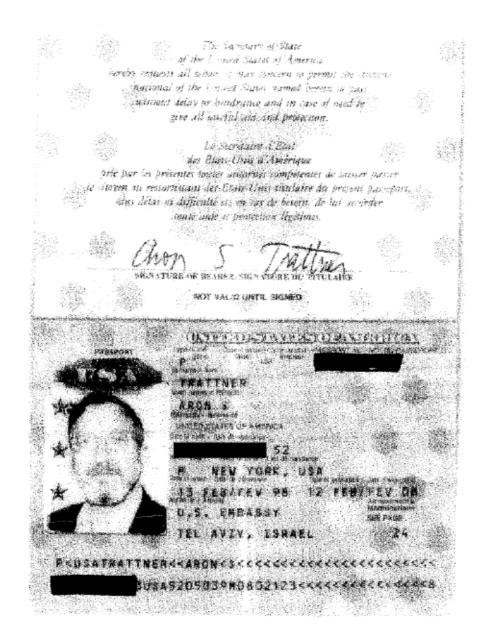












Case 1:18-cv-12355-MKV-DCF Document 129-48 Filed 10/04/21 Page 14 of 154 of the United Spaces of America, berebe requests all whom a may concern to pickets the critical Singuiernal of the United States mambablerain to pulls Mithies delay or landrance and in case of each the erry all lawful and with binington. L. Syrrights d'Etait des Eigh Unit d'Ambrique prie par les précentes toites autorisés compétantes de latiner passer. le celoven on ressortissant des Ethills Diens titulaire du present gasseports iuns delai ni difficulte ek en cas de besein, de lui accorder mute side et protestion légitimes. State of the section NOT VALID LIBERT SEGNED.

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دولــــة فلســطین رئیس الوزراء

Ramallah, December 26th, 2018

His Excellency Mr. Michael R. Pompeo Secretary of State U.S. Department of State Washington, D.C. United States of America

Re: United States Aid to Palestine; Anti-Terrorism Clarification Act of 2018

Dear Mr. Secretary of State,

I am writing in connection with the aid received by the Government of Palestine from the United States of America.

The Government of Palestine is, and always will be, grateful for the past economic support of the American people. Augmenting Palestine's own financial resources and support from other nations, the U.S. assistance has facilitated the growth of robust governmental institutions and capacity in Palestine for the benefit of the Palestinian people, and has supported peace and stability for Palestine and its neighbors. The bond between the Palestinian and American people will always be strong.

Regrettably, however, the U.S. economic aid to Palestine now has become a dividing force due to the Anti-Terrorism Clarification Act of 2018 ("ATCA"). As you may know, the ATCA references various forms of U.S. assistance to the Government of Palestine. Further, the ATCA purports to alter the rules of jurisdiction over the Government of Palestine in the U.S. legal proceedings if it continues to accept such aid after January 31, 2019.



State of Palestine

Prime Minister



دولــــة فلســطين رئيس الوزراء

The Government of Palestine takes seriously its commitment to respond to all claims of jurisdiction over it in legal proceedings in the U.S. Judicial Branch. The U.S. courts, in turn, have consistently held that "general jurisdiction" of the type discussed in the ATCA cannot be exercised over the Palestinian National Authority and its agencies.

In the view of the Government of Palestine, the U.S. Judicial Branch has sole cognizance over these issues because they involve rights protected by the Constitution of the United States of America. Unfortunately, the ATCA has sought to convert these constitutional issues into political ones.

In light of these developments, the Government of Palestine respectfully informs the United States Government that, as of January 31st, 2019, it fully disclaims and no longer wishes to accept any form of assistance referenced in ATCA. Let there be no misunderstanding on this point. The terms of ATCA envision that the Government of Palestine will make a choice whether or not to accept U.S. "assistance, however provided" after January 31, 2019, under the referenced Foreign Assistance programs. The Government of Palestine unambiguously makes the choice not to accept such assistance.

The ATCA does not include any such aid within its scope; in any event, the intent of the Government of Palestine is to forego any aid within the scope of ATCA. For the avoidance of doubt, the Government of Palestine, including the Palestinian National Authority and its agencies, does not undertake or accept any responsibility for any public or private aid from U.S.-affiliated sources that is or may be provided directly, or indirectly by any third party, to any non-governmental Palestinian institution (including civil society or private sector) on or after January 31, 2019.

As noted previously, the U.S. courts have consistently held that the Government of Palestine is not subject to "general jurisdiction" in U.S. litigation. Because those decisions are rooted in due process protections found in the U.S. Constitution, the ATCA (whatever its intent and purport) cannot support an exercise of the general jurisdiction of the U.S. courts over the Palestinian National Authority and its agencies.

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State of Palestine

Prime Minister



دولــــة فلســطین رئیس الوزراء

It is unfortunate that the ATCA politicized these issues, which properly belonged within the sole province of the U.S. courts. But, now that the ATCA has done so, the Government of Palestine is constrained to respond as set forth herein. Naturally, if circumstances change, such that Palestine's acceptance of aid under these programs could not be used to undermine due process protections for Palestine in the U.S. courts, then the Government of Palestine would revisit its decision and would take the steps to restore these aid programs, which have a proven track record of success.

Sincerely,

Rami Hamdallah Prime Minister

R. Ham dl

CC. H.E. Mr. Shukry Bishara, Minister of Finance and Planning, Ramallah

Exhibit 251

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

MIRIAM FULD et al..

Plaintiffs.

v.

20 Civ. 3374 (JMF)

PALESTINE LIBERATION ORGANIZATION et al.,

Defendants.

X

Memorandum of Law in Support of the Government's Intervention in Defense of the Promoting Security and Justice for Victims of Terrorism Act of 2019

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Table of Contents

Preliminary Statement	1
Statutory Background	2
Argument	7
A. The PSJVTA Establishes Personal Jurisdiction Based on Defendants' Knowing and Voluntary Consent	8
The PSJVTA Validly Provides for the PA and PLO to Consent to Jurisdiction	8
2. The PSJVTA, as an Enactment in the Field of Foreign Affairs, Must Be Accorded Deference	. 10
3. The PA and PLO Have Not Demonstrated Their Deemed Consent to Jurisdiction Is Unconstitutional	. 13
B. The PSJVTA Does Not Impose an Unconstitutional Condition	. 19
Conclusion	. 23

Table of Authorities

Cases: Acorda Therapeutics Inc. v. Mylan Pharm. Inc., Aybar v. Aybar, Bane v. Netlink. Inc.. Bank Markazi v. Peterson. Brown v. Lockheed Martin Corp., Burger King Corp. v. Rudzewicz, Center for Constitutional Rights v. CIA, Chen v. Dunkin' Brands, Inc., Daimler AG v. Bauman. Dorchester Financial Securities, Inc. v. Banco BRJ, S.A., Durand v. Hollins. Haig v. Agee, Holder v. Humanitarian Law Project, Insurance Corp. of Ireland, Ltd. v. Compagnie des Bauxites, J. McIntyre Machinery, Ltd. v. Nicastro, Klieman v. PA. Klieman v. PA.

Estate of Klieman v. PA, 467 F. Supp. 2d 107 (D.D.C. 2006)	3
Klinghoffer v. SNC Achille Lauro Ed Altri-Gestione Motonave Achille Lauro, 937 F.2d 44 (2d Cir. 1991)	4
Knox v. PLO, 248 F.R.D. 420 (S.D.N.Y. 2008)	2
Koontz v. St. Johns River Water Management Dist., 570 U.S. 595 (2013)2	20, 21
Leonard v. USA Petroleum Corp., 829 F. Supp. 882 (S.D. Tex. 1993)	16
Livnat v. PA, 851 F.3d 45 (D.C. Cir. 2017)	3
In re Mid-Atlantic Toyota Antitrust Litigation, 525 F. Supp. 1265 (D. Md. 1981)	16
Moran v. Burbine, 475 U.S. 412 (1986)	14
New York v. Quarles, 467 U.S. 649 (1984)	15
Oil States Energy Services, LLC v. Greene's Energy Group, LLC, 138 S. Ct. 1365 (2018)	20
Oregon v. Elstad, 470 U.S. 298 (1985)	15
Pennsylvania Fire Ins. Co. v. Gold Issue Mining & Milling Co., 243 U.S. 93 (1917)	18
Perry v. Sindermann, 408 U.S. 593 (1972)	20
Roell v. Withrow, 538 U.S. 580 (2003)1	.3, 14
Sokolow v. PLO, No. 04 Civ. 397, 2011 WL 1345086 (S.D.N.Y. Mar. 30, 2011)	2
United States v. O'Brien, 926 F.3d 57 (2d Cir. 2019)	15
United States v. Taylor, 745 F.3d 15 (2d Cir. 2014)	14
United States v. Velez, 354 F.3d 190 (2d Cir. 2004)	15

United States v. Wong Kim Ark, 169 U.S. 649 (1898)	22
Waldman v. PLO, 835 F.3d 317 (2d Cir. 2016)	2, 3, 8, 18
Waldman v. PLO, 925 F.3d 570 (2d Cir. 2019)	4
Washington State Grange v. Washington State Republican Party, 552 U.S. 442 (2008)	7
Wellness Int'l Network v. Sharif, 135 S. Ct. 1932 (2015)	8, 10, 13, 14
Statutes:	
18 U.S.C. § 2331	2
18 U.S.C. § 2333	1, 2
18 U.S.C. § 2334	passim
22 U.S.C. § 2378b	12
22 U.S.C. § 2378c-1	13, 23
22 U.S.C. § 5201	11, 22
22 U.S.C. § 5202	3, 4, 12
Pub. L. No. 102-572	2
Pub. L. No. 103-125	12
Pub. L. No. 109-446	12
Pub. L. No. 115-141	5, 13, 23
Pub. L. No. 115-253	4
Pub. L. No. 116-6	12
Pub. L. No. 116-94	5
Rules:	
Federal Rule of Civil Procedure 37(b)(2)(A)	14
Legislative History:	
165 Cong. Rec. S7182	7, 11
165 Cong. Rec. S7183	7
166 Cong Rec. S627	10

Preliminary Statement

The United States respectfully intervenes in this action, pursuant to Rule 5.1 of the Federal Rules of Civil Procedure, and submits this memorandum in support of the constitutionality of 18 U.S.C. § 2334(e), as amended by the Promoting Security and Justice for Victims of Terrorism Act of 2019 ("PSJVTA").

The PSJVTA is the most recent of Congress's efforts to "open the courthouse door to victims of international terrorism" to allow them to vindicate their interests in federal court and to receive just compensation for their injuries. Through several statutes over four decades, in particular the Anti-Terrorism Act of 1992 ("ATA"), 18 U.S.C. § 2333(d)(2), Congress has provided civil damages remedies for United States nationals harmed by acts of international terrorism. In order to realize the goals and effective functioning of the ATA's remedy, particularly in light of judicial decisions holding that the defendants in this case, the Palestinian Authority ("PA") and the Palestine Liberation Organization ("PLO"), are not subject to personal jurisdiction in U.S. courts, Congress has enacted two statutes—the Anti-Terrorism Clarification Act ("ATCA") and the PSJVTA—that specified actions that will be deemed consent to personal jurisdiction in civil cases under the ATA.

The Supreme Court has long recognized consent as a basis for personal jurisdiction, and has held that there are a variety of "legal arrangements" through which a defendant may consent to personal jurisdiction. *Insurance Corp. of Ireland, Ltd. v. Compagnie des Bauxites*, 456 U.S. 694, 703 (1982). Congress has particular

S. Rep. 102-342, at 45 (1992).

authority to enact such a statute given its power to act in the field of foreign affairs.

Section 2334(e) is consistent with the Constitution and should be upheld.

Statutory Background

In 1992, in order "to develop a comprehensive legal response to international terrorism," Congress enacted the ATA, which created a civil damages remedy for United States nationals harmed by an act of international terrorism committed by a foreign terrorist organization. H.R. Rep. No. 102-1040, at 5 (1992) ("1992 House Report"); see Pub. L. No. 102-572, § 1003(a), 106 Stat. 4506, 4521–24 (1992) (adding 18 U.S.C. §§ 2331, 2333–2338). The ATA allows those United States nationals to sue "any person who aids and abets, by knowingly providing substantial assistance, or who conspires [to commit] an act of international terrorism." 18 U.S.C. § 2333(d)(2).

In the ensuing years, courts regularly exercised personal jurisdiction in ATA cases against the Palestine Liberation Organization ("PLO") and the Palestinian Authority ("PA"), holding that "the totality of activities in the United States by the PLO and the PA justifies the exercise of general personal jurisdiction." Sokolow v. PLO, No. 04 Civ. 397, 2011 WL 1345086, at *3 (S.D.N.Y. Mar. 30, 2011), vacated sub nom. Waldman v. PLO, 835 F.3d 317 (2d Cir. 2016); accord, e.g., Knox v. PLO,

The PLO has been recognized by the United Nations as the representative of the Palestinian people; the PA was created pursuant to the 1993 Oslo Accords to exercise interim governance authority for the Palestinian people in Gaza and the West Bank. The United States does not recognize either the Palestinian Authority or the Palestine Liberation Organization as a sovereign government. As a matter of historical practice, Congress and the Executive Branch have worked together closely to determine U.S. policies with respect to those entities.

248 F.R.D. 420, 427 (S.D.N.Y. 2008); Estate of Klieman v. PA, 467 F. Supp. 2d 107, 113 (D.D.C. 2006).

However, in 2014, the Supreme Court clarified that general (or "all-purpose") personal jurisdiction was appropriate only when the defendant was "essentially at home in the forum," and explained that for non-natural persons "at home" was usually limited to the place of incorporation or principal place of business. Daimler AG v. Bauman, 571 U.S. 117, 139 (2014). Courts applying the Daimler standards to pending ATA cases concluded that the PA and PLO were not "at home" in the United States and thus not subject to general jurisdiction. Waldman, 835 F.3d at 337; Livnat v. PA, 851 F.3d 45, 48–52 (D.C. Cir. 2017); Klieman v. PA, 82 F. Supp. 3d 237, 246 (D.D.C. 2015). Courts also declined to exercise specific (conduct-linked) personal jurisdiction because "these [terrorist] actions, as heinous as they were, were not sufficiently connected to the United States to provide specific personal jurisdiction in the United States." Waldman, 835 F.3d at 337; accord Livnat, 851 F.3d at 57; Klieman, 82 F. Supp. 3d at 248–49.

Congress responded in 2018 by enacting the ATCA. Section 4 of the ATCA provides that "for purposes of any civil action" under the ATA of 1992, "a defendant shall be deemed to have consented to personal jurisdiction in such civil action if, regardless of the date of the occurrence of the act of international terrorism upon which such civil action was filed, the defendant," after January 31, 2019, either accepts specified forms of foreign assistance or maintains an office within the United States pursuant to a waiver or suspension of 22 U.S.C. § 5202 (which

prohibits the PLO from maintaining an office in the United States). Pub. L. No. 115-253, § 4, 132 Stat. 3183, 3184 (adding 18 U.S.C. § 2334(e)).

After the ATCA's enactment, the PA and PLO structured their affairs to avoid consenting to jurisdiction. On December 26, 2018, the PA informed the Secretary of State that it was declining to accept the forms of foreign assistance listed in the ATCA. The PLO does not receive U.S. foreign assistance. The PLO continues to occupy its United Nations Observer Mission in New York, but that office does not require any waiver or suspension of 22 U.S.C. § 5202. See Klinghoffer v. SNC Achille Lauro Ed Altri-Gestione Motonave Achille Lauro, 937 F.2d 44, 46 (2d Cir. 1991). Since prior to the enactment of the ATCA, the PLO has not operated any other office in the United States pursuant to a waiver or suspension of 22 U.S.C. § 5202.

Because the ATCA's factual predicates were not satisfied, the D.C. Circuit and Second Circuit continued to hold that U.S. courts could not exercise personal jurisdiction over the PA and PLO in the cases in question. *Klieman v. PA*, 923 F.3d 1115, 1128 (D.C. Cir. 2019), *vacated*, 140 S. Ct. 2713 (2020); *Waldman v. PLO*, 925 F.3d 570, 575 (2d Cir. 2019), *vacated*, 140 S. Ct. 2714 (2020). Concluding "that plaintiffs have not made an adequate showing that any of [the ATCA's] factual predicates has been triggered," those courts did not analyze the constitutionality of the ATCA's provisions on deemed consent to personal jurisdiction. *Klieman*, 923 F.3d at 1128.

The plaintiffs filed petitions for certiorari in the Supreme Court. While those petitions were pending, Congress enacted the PSJVTA. Pub. L. No. 116-94, § 903, 133 Stat. 2534, 3082 (December 20, 2019). Among other things, the PSJVTA superseded the personal jurisdiction provisions in the ATCA. The Act added a definition of "defendant" to specifically include "the Palestinian Authority," "the Palestine Liberation Organization," and their affiliates and successors.

Id. § 903(c)(1)(A). The Act also removed the condition that accepting specified foreign assistance would constitute consent.

In addition, the PSJVTA provided new factual predicates for the conduct that will constitute deemed consent to personal jurisdiction for civil actions under the ATA. The Act first focused on the "Palestinian Authority's practice of paying salaries to terrorists serving in Israeli prisons, as well as to the families of deceased terrorists." The PSJVTA provides that a defendant "shall be deemed to have consented to personal jurisdiction" in civil ATA cases, if 120 days after the enactment of the PSJVTA (i.e., after April 18, 2020), it "makes any payment, directly or indirectly—

The PSJVTA included a number of provisions that are not at issue here, aimed at facilitating the resolution of ATA claims. *Id.* § 903(b). The portion of the PSJVTA challenged in this action is limited to the jurisdictional amendments contained in § 903(c), which, for ease of reference, this memorandum refers to as the PSJVTA.

Taylor Force Act, Pub. L. No. 115-141, § 1002 (Findings), 132 Stat 348, 1143 (March 23, 2018). That Act is separate legislation relating specifically to assistance for the West Bank and Gaza that directly benefits the PA, where Congress further found that the PA's practice of making such payments "is an incentive to commit acts of terror."

- (i) to any payee designated by any individual who, after being fairly tried or pleading guilty, has been imprisoned for committing any act of terrorism that injured or killed a national of the United States, if such payment is made by reason of such imprisonment; or
- (ii) to any family member of any individual, following such individual's death while committing an act of terrorism that injured or killed a national of the United States, if such payment is made by reason of the death of such individual[.]"

18 U.S.C. § 2334(e)(1)(A).

The PSJVTA next established the scope of PLO or PA activities within the United States that would constitute deemed consent to personal jurisdiction in ATA civil actions. Specifically, the Act now provides that a defendant "shall be deemed to have consented to personal jurisdiction" if fifteen days after the enactment of the PSJVTA (i.e., after January 4, 2020), it maintains, establishes, or procures any office in the United States or "conducts any activity while physically present in the United States on behalf of the Palestine Liberation Organization or the Palestinian Authority" outside limited exceptions related to maintaining an office for or conducting business at the United Nations, activities involving government officials or participation in training or related activities funded or arranged by the United States government, legal representation, or ancillary activities. 18 U.S.C. § 2334(e)(1)(B)(i)-(iii), (e)(3). As the PSJVTA's lead sponsor explained, the Act "allow[s] the PA/PLO to conduct a very narrow scope of activities on U.S. soil—such as activities pertaining to official business at the United Nations, engagements with U.S. officials necessary to our national interest, and legal expenses related to adjudicating or resolving claims filed in U.S. courts—without consenting to personal jurisdiction in civil ATA cases." 165 Cong. Rec. S7182 (Dec. 19, 2019) (Sen. Lankford).

Congress also sought to apply the deemed consent-to-jurisdiction provisions to pending and some closed cases like *Sokolow*. Activities that triggered deemed consent to personal jurisdiction would be considered consent "regardless of the date of the occurrence of the act of international terrorism upon which such civil action was filed." 18 U.S.C. § 2334(e)(1). And consent to personal jurisdiction under these new provisions would "apply to any case pending on or after August 30, 2016." PSJVTA § 903(d)(2). As Senator Grassley explained, the PSJVTA "sends a clear signal that Congress intends to empower courts to restore jurisdiction in cases previously dismissed." 165 Cong. Rec. S7183.

Following the PSJVTA's enactment, the Supreme Court granted the pending petitions for certiorari in *Sokolow/Waldman* and *Klieman*, vacated the decisions of the courts of appeals, and remanded for consideration of the matters in light of the PSJVTA. 140 S. Ct. 2713–14 (2020). This action was filed three days later.

Argument

In the PSJVTA, Congress has specified activities that constitute deemed consent to personal jurisdiction in a civil action under the ATA. That is consistent with the constitutional requirements of due process under the Fifth Amendment.⁵

Principles of constitutional avoidance would require that this Court not address the constitutionality of the PSJVTA unless it finds as a matter of fact that the PA or PLO has engaged in the activities that Congress specified as constituting consent to personal jurisdiction. See, e.g., Washington State Grange v. Washington

A. The PSJVTA Establishes Personal Jurisdiction Based on Defendants' Knowing and Voluntary Consent

1. The PSJVTA Validly Provides for the PA and PLO to Consent to Jurisdiction

The Second Circuit has held that the PA and PLO, as non-sovereign entities, are entitled to due process rights, Waldman, 835 F.3d at 329, and the requirement that a court have personal jurisdiction over a defendant flows from those rights, Bauxites, 456 U.S. at 702–03. But "the requirement of personal jurisdiction ... can ... be waived." Id. at 703. More specifically, a defendant may consent to a court's exercise of personal jurisdiction through a "variety of legal arrangements." Id. at 703; accord Burger King Corp. v. Rudzewicz, 471 U.S. 462, 472 n.14 (1985); Brown v. Lockheed Martin Corp., 814 F.3d 619, 625 (2d Cir. 2016) ("a party may simply consent to a court's exercise of personal jurisdiction ... notwithstanding the remoteness from the state of its operations and organization"). As long as a defendant's consent is "knowing and voluntary," the court's exercise of jurisdiction is permissible and consistent with due process, Wellness Int'l Network v. Sharif, 135 S. Ct. 1932, 1948 (2015)—personal jurisdiction based on such consent "does not

State Republican Party, 552 U.S. 442, 450 (2008) ("courts should neither anticipate a question of constitutional law in advance of the necessity of deciding it nor formulate a rule of constitutional law broader than is required by the precise facts to which it is to be applied" (quotation marks omitted)). However, the government's understanding is that the defendants have conceded that they have made certain payments described in 18 U.S.C. § 2334(e)(1)(A). (E.g., Defs.' Supp. Br., ECF No. 42, at 11–12 (noting defendants' "decision to continue engaging in" payments)). The government takes no position on whether any of the statute's factual predicates have been satisfied; rather, assuming the Court finds that one or both of those predicates has been satisfied, the government urges that the PSJVTA is constitutional.

offend due process" as long as the consent was not "unreasonable and unjust," Burger King, 471 U.S. at 472 n.14 (quotation marks omitted); accord Dorchester Financial Securities, Inc. v. Banco BRJ, S.A., 722 F.3d 81, 85 (2d Cir. 2013).

Consistent with those principles, the PSJVTA sets out a reasonable "legal arrangement[]" through which Congress specified a defendant consents to personal jurisdiction, Bauxites, 456 U.S. at 703, and gives potential defendants "fair warning that a particular activity may subject [them] to the jurisdiction" of U.S. courts, Burger King, 471 U.S. at 472 (quotation marks omitted). The statute expressly states what actions will cause a defendant to be "deemed to have consented" to personal jurisdiction in the courts of the United States, and it specifies that that consent is limited to civil ATA claims. 18 U.S.C. § 2334(e). The PSJVTA accordingly gives the defendants fair warning about what conduct will subject them to personal jurisdiction with respect to a particular class of claims, and a reasonable period to "'structure their primary conduct with some minimum assurance as to where that conduct will and will not render them liable to suit." Daimler, 571 U.S. at 139 (quoting Burger King, 471 U.S. at 472). The Act provides a 120-day implementation period before consent will be deemed by making payments to designees or family members of persons imprisoned for or killed while committing an act of terrorism that killed or injured a U.S. national, 18 U.S.C. § 2334(e)(1)(A), and a fifteen-day period before consent will be deemed from non-excepted activities on behalf of the PA or PLO while physically present in the United States, id. § 2334(e)(1)(B).

In short, since the PSJVTA's enactment, the PA and PLO have "know[n]" what activities will be deemed consent, and have had the opportunity to "voluntarily" choose whether or not to continue such activities and thereby consent to jurisdiction in the courts of the United States for ATA civil actions. Wellness Int'l, 135 S. Ct. at 1948. Asserting personal jurisdiction based on that knowing and voluntary consent is neither unreasonable nor unjust, and is consistent with due process.

2. The PSJVTA, as an Enactment in the Field of Foreign Affairs, Must Be Accorded Deference

Furthermore, the PSJVTA "warrants respectful review by courts" because it was enacted "on a matter of foreign policy." *Bank Markazi v. Peterson*, 136 S. Ct. 1310, 1317 (2016). Specifically, Congress enacted, and the President signed into law, the PSJVTA to facilitate providing a meaningful response to international terrorism, and the political branches acted against an extensive backdrop of statutes concerning the PLO and PA.

The ATA's civil-liability provision is intended "to develop a comprehensive legal response to international terrorism." 1992 House Report at 5. Congress found in the ATCA, however, that because courts had determined that the PA and PLO were not subject to general personal jurisdiction in the United States, the ATA's goals were not being realized. See H.R. Rep. No. 115-858, at 6. Congress thus determined that it was necessary to enact the ATCA so the ATA's civil-liability provision could function effectively to "halt, deter, and disrupt international terrorism." Id. at 7-8; see also id. at 2-3. In amending the ATCA's deemed-consent provisions through the PSJVTA, Congress acted with the same purpose. See 166

Cong. Rec. S627 (Jan. 28, 2020) (Sen. Leahy) ("Congress is committed to pursuing justice for American victims of terrorism while ensuring appropriate standards regarding the ability of foreign missions to conduct official business in the United States."); 165 Cong. Rec. S7182 (Dec. 19, 2019) (Sen. Lankford) (bill "strike[s] a balance between Congress's desire to provide a path forward for American victims of terror to have their day in court and the toleration by the Members of this body to allow the PA/PLO to conduct a very narrow scope of activities on U.S. soil"); id. (Sen. Grassley) ("these lawsuits disrupt and deter the financial support of terrorist organizations. By cutting terrorists' financial lifelines, the ATA is a key part of the U.S. arsenal in fighting terrorism and protecting American citizens.").

The actions Congress selected in the PSJVTA to "deem[]" consent to personal jurisdiction are consistent with this legislative purpose. The PA and PLO are sui generis foreign entities that exercise governmental power but have not been recognized as a sovereign government by the Executive Branch, and that have a unique relationship with the United States government premised on the entities' renunciation of terrorism and commitment to peace in the Middle East. Their ability to operate within the United States is dependent on the judgments of the political branches, which have long imposed restrictions on these entities' U.S. operations based in part on the same concerns that motivated enactment of the ATCA and PSJVTA—namely, concerns about their historical support for acts of terrorism. See 22 U.S.C. § 5201 (enacted 1987; determining "that the PLO and its affiliates are a terrorist organization and a threat to the interests of the United

States, its allies, and to international law and should not benefit from operating in the United States"); id. § 5202 (prohibiting PLO from maintaining an office in the United States); Middle East Peace Facilitation Act of 1993, Pub. L. No. 103-125, § 3(b)(2), (d)(2), 107 Stat. 1309, 1310 (authorizing temporary waiver of that prohibition if the President certifies that "it is in the national interest of the United States" and "the Palestine Liberation Organization continues to abide by" its Oslo Accords commitments); Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019, Pub. L. No. 116-6, div. F, § 7041(k)(2)(B)(i), 133 Stat. 14, 341 (authorizing temporary waiver of that prohibition if President determines the Palestinians have not obtained United Nations membership status as a state and have not "actively supported an [International Criminal Court] investigation against Israeli nationals for alleged crimes against Palestinians"); see also Palestinian Anti-Terrorism Act of 2006, Pub. L. No. 109-446, § 7, 22 U.S.C. § 2378b note (prohibiting the establishment or maintenance in the United States of any office of the PA during any period for which it is effectively controlled by or unduly influenced by Hamas, in the absence of a statutory waiver).

Similarly, in deeming payments to designees and family members of persons imprisoned for or killed while committing acts of terrorism killing or injuring U.S. nationals to constitute consent to personal jurisdiction, Congress furthered critical interests in national security and foreign affairs by acting to discourage support for violence harming U.S. nationals. See Holder v. Humanitarian Law Project, 561 U.S. 1, 8–10 (2010) (discussing national security interests in deterring support for

terrorism); Center for Constitutional Rights v. CIA, 765 F.3d 161, 169 (2d Cir. 2014) ("incit[ing] violence against American interests at home and abroad [will cause] damage to the national security"); Taylor Force Act, Pub. L. No. 115-141, § 1002 (Findings), 132 Stat. 348, 1143 (22 U.S.C. § 2378c-1 note) (Mar. 23, 2018).

In this context, it was reasonable and consistent with the Fifth Amendment for Congress and the Executive Branch to determine that the PLO's or PA's voluntarily and knowingly engaging in specified activities in the United States, or making payments by reason of terrorist acts injuring or killing U.S. nationals, should be "deemed" consent to personal jurisdiction in ATA civil cases—the purpose of which is to deter terrorism. See H.R. Rep. No. 115-858, at 7 (2018) (committee report in support of ATCA) (explaining that "Congress has repeatedly tied [the PA's and PLO's] continued receipt of these privileges [including presence in the United States] to their adherence to their commitment to renounce terrorism," and that it is appropriate to deem the continued acceptance of these benefits to be "consent to jurisdiction in cases in which a person's terrorist acts injure or kill U.S. nationals").

3. The PA and PLO Have Not Demonstrated Their Deemed Consent to Jurisdiction Is Unconstitutional

The PA/PLO's primary argument against the PSJVTA is that they must receive some benefit in return for their "deemed" consent to be constitutionally valid. (Defs.' Supp. Br. (ECF No. 42) 5–11). But as explained above, consent to personal jurisdiction need only be "knowing and voluntary." Wellness Int'l, 135 S. Ct. at 1948; see Roell v. Withrow, 538 U.S. 580, 590 (2003). Nothing in that phrase,

or the case law concerning consent to jurisdiction, suggests a reciprocity requirement. To the contrary, as the Supreme Court has put it, "the key inquiry is whether 'the litigant or counsel was made aware of the need for consent and the right to refuse it, and still voluntarily" proceeded. Wellness Int'l, 135 S. Ct. at 1948 (quoting Roell, 538 U.S. at 590). Although the Court has not specifically addressed defendants' argument regarding the need for reciprocity in consent cases, it has upheld the assertion of personal jurisdiction based on a defendant's actions, in a situation in which the defendant receives nothing in return. In Bauxites, the Court held that under Federal Rule of Civil Procedure 37(b)(2)(A), a district court could deem personal jurisdiction to have been established as a sanction for the defendant's failure to comply with a discovery order directed at establishing jurisdictional facts. 456 U.S. at 703-06. The Court explained that such an action "amount[s] to a legal submission to the jurisdiction of the court, whether voluntary or not." Id. at 704-05. The Court likewise observed that a defendant's failure to timely object to personal jurisdiction would have the same effect of waiving the requirement, id., even though the defendant would not receive anything in return.

And in other contexts the Supreme Court has held that a decision to waive a right is "knowing" if it was "made with a full awareness of both the nature of the right being abandoned and the consequences of the decision to abandon it," and is "voluntary" if it is "the product of a free and deliberate choice rather than intimidation, coercion, or deception." Moran v. Burbine, 475 U.S. 412, 421 (1986) (waiver of Miranda rights); accord United States v. Taylor, 745 F.3d 15, 23 (2d Cir.

2014) (same); United States v. Velez, 354 F.3d 190, 196 (2d Cir. 2004) (applying same definition to waiver of inadmissibility of statements made during plea discussions); United States v. O'Brien, 926 F.3d 57, 76 (2d Cir. 2019) (consent to search is given "freely and voluntarily" under Fourth Amendment if not "the product of duress or coercion"; upholding consent to search obtained without any exchange). Such a waiver can be effected even in the absence of "promises" made to obtain it, or any other consideration or exchange. Oregon v. Elstad, 470 U.S. 298, 302 (1985).6

Thus, consent can be knowing and voluntary even where the person consenting receives no benefit in return. To be sure, the waiver of personal jurisdiction may be part of an exchange; such an exchange may occur when a state or the United States conditions a benefit or service on a person's agreement, express or implied, to consent to service or personal jurisdiction in a forum. See Brown, 814 F.3d at 632–33.7 In addition, an exchange may be evidence that the person waiving a right did

Before *Miranda*, the Supreme Court determined the propriety of an accused's statements based on whether they "were 'voluntary' within the meaning of the Due Process Clause," a test that was satisfied in the absence of "techniques and methods offensive to due process" or circumstances demonstrating the "suspect clearly had no opportunity to exercise a free and unconstrained will." *Elstad*, 470 U.S. at 304; accord New York v. Quarles, 467 U.S. 649, 661 (1984) (O'Connor, J., concurring in judgment) (statement not voluntary if "interrogation was deemed unreasonable or shocking, or if the accused clearly did not have an opportunity to make a rational or intelligent choice"). Neither consideration nor reciprocity was required.

In its brief in *Klieman*, the government described just such a condition: the Executive and Legislative Branches' "historical practice" of "impos[ing] conditions" on the PA/PLO's right to operate in the United States and to receive foreign assistance. Br. for U.S. as Amicus Curiae, No. 15-7034 (D.C. Cir.), at 12–13. The PA/PLO misconstrues that description as endorsing the proposition that "'deemed'

so voluntarily. But there is no requirement, in the Due Process Clause or elsewhere, of any such reciprocity before a person's waiver of personal jurisdiction can be considered knowing and voluntary.8

The PA and PLO read too much into the Second Circuit's decisions in *Brown* and *Chen v. Dunkin' Brands, Inc.*, 954 F.3d 452 (2d Cir. 2020), in support of their contention that consent requires more than a knowing and voluntary decision. Both cases concerned whether an out-of-state defendant had consented to general personal jurisdiction in the state by registering to do business in the state and, in accordance with the registration statute, appointing an in-state agent to accept service. *Brown*, 814 F.3d at 622; *Chen*, 954 F.3d at 496. In both cases, the court declined to opine on the due process limits of consent to personal jurisdiction achieved by satisfying statutory conditions⁹—instead, influenced by the Supreme

consent to jurisdiction cannot be squared with Due Process unless there is reciprocity." (Defs.' Supp. Br. 1, 10). But to say, as the government did in *Klieman*, that it is reasonable to deem an exchange of benefits for conditions as valid consent to personal jurisdiction is far different from saying that an exchange is necessary to consent.

The PA and PLO rely on two district court cases that suggest jurisdiction by consent depends on a "bargain." (Defs.' Supp. Br. 7); Leonard v. USA Petroleum Corp., 829 F. Supp. 882, 889 (S.D. Tex. 1993); In re Mid-Atlantic Toyota Antitrust Litigation, 525 F. Supp. 1265, 1278 (D. Md. 1981). Both cases involved putative consent to widely applicable general jurisdiction, inferred from the defendants' constructive presence in the state through registration; the PSJVTA, which limits jurisdiction to a specific type of action and expressly deems activities to constitute consent, is distinguishable on both grounds. In any event, neither decision is binding on this Court.

Similarly, the government takes no position here on whether a state may enact a statute deeming certain conduct, such as registering to do business in the state, to be consent to jurisdiction. This Court need not address that question to decide the constitutionality of the PSJVTA. In this unique foreign affairs context, in

Court's narrowing of general jurisdiction in Daimler, it construed the state statutes as not "embodying actual consent ... to the state's exercise of general jurisdiction." Brown, 814 F.3d at 626, 636–37; accord Chen, 954 F.3d at 499. But the interpretation the Second Circuit rejected (one that it said would "rob" Daimler of meaning "by a back-door thief") was the "expansive" view that the court should "infer from an ambiguous statute" that registration and appointment of an agent alone constitute consent to general jurisdiction—that is, "the power to adjudicate any matter concerning any registered corporation, no matter where the matter arose and no matter how limited the state's interest in the dispute." Brown, 814 F.3d at 622, 640.

That is far afield from the PSJVTA, which expressly provides that certain actions will be deemed consent to jurisdiction in a limited class of cases. The Second Circuit recognized that "a carefully drawn . . . statute that expressly required

contrast to the limited and mutually exclusive sovereignty of the several states, Congress may deem certain actions of defendants like the PA and PLO to be consent to personal jurisdiction in the United States, even if a state cannot enact similar legislation. See J. McIntyre Machinery, Ltd. v. Nicastro, 564 U.S. 873, 884 (2011) (plurality op.) ("personal jurisdiction requires a forum-by-forum, or sovereign-by-sovereign, analysis").

As explained in Aybar v. Aybar—cited favorably in Chen, 954 F.3d at 499—prior to Daimler, New York courts had held a corporation's appointment of an instate agent for service was enough to establish its "continuous and systematic course of doing business" in the state, and therefore its presence for general personal jurisdiction. 169 A.D.3d 137, 147, 151 (N.Y. App. Div. 2d Dep't 2019), appeal pending, No. 2019-239, 139 N.E.3d 391 (N.Y.). After Daimler concluded that such presence alone is not enough for general jurisdiction, the state courts have concluded that mere registration and appointment of an agent, "without the express consent of the foreign corporation to general jurisdiction," does not suffice to confer general jurisdiction. Id. at 151-52; see also Brown, 814 F.3d at 638-40.

consent to general jurisdiction ... might well be constitutional." Brown, 814 F.3d at 641. Rather than requiring courts to "infer" consent based on a "slender inference ... pulled from routine bureaucratic measures that were largely designed for another purpose entirely," id. at 639, the PSJVTA expressly states that a defendant is deemed to have consented to personal jurisdiction in U.S. courts if it engages in specifically enumerated activities in the United States or with a nexus to foreign policy interests. The PSJVTA thus puts defendants on notice that their choice to continue those activities will be the "voluntary act" that manifests consent to jurisdiction, even if no quid pro quo is given. Cf. Pennsylvania Fire Ins. Co. v. Gold Issue Mining & Milling Co., 243 U.S. 93, 95–96 (1917) (defendant's appointment of agent for service of process constitutionally subjected defendant to suit in state for cases growing out of defendant's activities because the governing statute "ha[d] been held to go to that length" and the execution of the document "was the defendant's voluntary act").

Moreover, in contrast to the general jurisdiction statutes at issue in *Brown* and *Chen*, the PSJVTA grants jurisdiction only over specified civil actions under a single federal statute: the ATA. Civil actions under the ATA have a nexus to concerns with combating terrorism, concerns that have also historically been the basis for statutory restrictions on PLO and PA activities in the United States. That nexus

The express provisions of the PSJVTA also distinguish this case from *Waldman*, where the Second Circuit held that, prior to the ATCA or PSJVTA, consent to personal jurisdiction could not be inferred from the PA/PLO's appointment of an agent to accept process. 835 F.3d at 343.

distinguishes the PSJVTA from defendants' hypothetical statute, under which "any activity anywhere in the world" would be deemed consent (Defs. Supp. Br. 15 (emphasis omitted)): the activities specified in the PSJVTA are linked to the ATA claims the PSJVTA seeks to support, and to Congress's and the Executive Branch's foreign-affairs and national-security concerns that have long motivated statutory restrictions on the activities of the PA/PLO, warranting this Court's deference. See Humanitarian Law Project, 561 U.S. at 35–36 (discussing deference owed to political branches when "sensitive interests in national security and foreign affairs [are] at stake"). The PSJVTA is thus substantially narrower than state consent-by-registration statutes, and poses less risk of unfair surprise. Brown and Chen therefore do not support the PA and PLO's position that there must be more than "knowing and voluntary" consent in this context. 12

B. The PSJVTA Does Not Impose an Unconstitutional Condition

Although they do not squarely advance the argument in this case, the PA and PLO have previously argued that the PSJVTA's "deemed consent" provision imposes an unconstitutional condition. (Defs.' Supp. Br. 14 n.3). The unconstitutional conditions doctrine "vindicates the Constitution's enumerated rights by preventing

Defendants also contend the PSJVTA violates constitutional separation of powers as a legislative attempt to undercut judicial decisions. (Defs.' Supp. Br. 19-21). But those prior decisions addressed personal jurisdiction based on minimum contacts with a forum, or whether the factual predicates of the ATCA were met. The PSJVTA does nothing to "change these courts' interpretation and application of constitutional rules" (Defs.' Supp. Br. 20); instead, it creates new deemed-consent criteria for the courts to apply for the first time.

the government from coercing people into giving them up" by "deny[ing] a benefit to a person because he exercises a constitutional right." Koontz v. St. Johns River Water Management Dist., 570 U.S. 595, 604 (2013) (quotation marks omitted); see Perry v. Sindermann, 408 U.S. 593, 597 (1972). The PA and PLO have previously contended that they will be forced to give up due process rights unless they stop carrying out Palestinian laws regarding the payments at issue, or curtail their activities in the United States.

Neither the Supreme Court nor the Second Circuit has applied an unconstitutional conditions doctrine to a statute that deems certain actions taken by a defendant to be consent to personal jurisdiction for purposes of the Fifth Amendment's Due Process Clause. And no case has addressed such a statute with respect to these *sui generis* defendants. This Court should not be the first to do so, where defendants mention the unconstitutional conditions doctrine only in a footnote. Moreover, the doctrine only "prevents the Government from using conditions 'to produce a result which it could not command directly,' " *Oil States Energy Services, LLC v. Greene's Energy Group, LLC*, 138 S. Ct. 1365, 1377 n.4 (2018) (quoting *Sindermann*, 408 U.S. at 597)—and as explained above, the PSJVTA is permissible on its own terms.

However, assuming that some form of unconstitutional conditions doctrine applies in this context, it is satisfied here. As explained above, consent to personal jurisdiction, even as a condition on some other benefit, "does not offend due process" unless it is "unreasonable and unjust." *Burger King*, 471 U.S. at 472 n.14 (quotation

marks omitted). Defendants' suggestion that the government cannot condition any benefit on the surrender of objections to personal jurisdiction sweeps far too broadly and contradicts judicial decisions upholding such arrangements under certain circumstances. *E.g.*, *Bane v. Netlink*, *Inc.*, 925 F.2d 637, 641 (3d Cir. 1990) (upholding express statutory requirement of consent to general personal jurisdiction); *see also Acorda Therapeutics Inc. v. Mylan Pharm. Inc.*, 817 F.3d 755, 770 n.1 (Fed. Cir. 2016) (O'Malley, J., concurring) ("the Supreme Court has upheld the validity of consent-by-registration statutes numerous times since the development of the unconstitutional conditions doctrine").

Burger King's reasonableness test for a statutory condition requiring that a person consent to personal jurisdiction appropriately balances the legitimate interests of the government against the due process rights of a defendant, and is consistent with the Supreme Court's application of the unconstitutional conditions doctrine in other contexts. In Koontz v. St. Johns River Water Management District, the Supreme Court recognized that a government may "offset" the "costs on the public" by conditioning a permit approval on an exaction of property without violating the Takings Clause. 570 U.S. at 605–06. To "accommodate" those types of regulations, the Court will uphold a condition "so long as there is a 'nexus' and 'rough proportionality' between the property that the government demands and the social costs of the applicant's proposal." Id.

The PSJVTA satisfies that test. The consent the PSJVTA requires is narrow limited to *sui generis* foreign entities, applicable only to ATA claims, and in furtherance of U.S. foreign policy. That limited demand must be seen in light of the federal government's constitutional responsibilities for, and broad authority, over, international relations and the protection of U.S. nationals abroad—government interests reasonably linked to the deemed-consent provisions of the PSJVTA.

Congress and the Executive Branch have each long placed limitations on the PLO's operations in the United States, taking into account concerns shared by both branches regarding the PLO's historical support for terrorism. See, e.g., 22 U.S.C. §§ 5201(b), 5202 (reflecting Congress's determination prior to the Oslo Accords that the PLO is "a terrorist organization and a threat to the interests of the United States, its allies, and to international law"). To the extent the PLO is permitted to operate in the United States, it is reasonable and proportional for the United States to condition the PLO's ability to do so on its consent to personal jurisdiction in civil actions under the ATA.

Similarly, the payments that are deemed consent under § 2334(e)(1)(A) bear a reasonable relationship to the waiver of personal jurisdiction. The payments at issue are those that occur after April 18, 2020, and are made to the designee (or family member) of a person who killed or injured a U.S. national, thus implicating the duty of the Executive and Legislative Branches to protect Americans abroad.

See Haig v. Agee, 453 U.S. 280, 299 (1981); United States v. Wong Kim Ark, 169 U.S. 649, 692 (1898); Durand v. Hollins, 8 F. Cas. 111, 112 (C.C.S.D.N.Y. 1860) (Nelson, Circuit Justice). And the nexus to opening the courts to vindicate the claims of terrorism victims is obvious and reasonable: Congress has found that such

payments by the PA/PLO incentivize the very type of terrorism Congress sought to combat in creating a civil action under the ATA. See Taylor Force Act, Pub. L. No. 115-141, § 1002(1) (Findings) (22 U.S.C. § 2378c-1 note). Nothing about haling the PA and PLO into U.S. courts to answer civil suits for any alleged role they played in specific acts of terrorism is "unreasonable" or "unjust," and the PSJVTA therefore does not violate due process.

Conclusion

The PSJVTA is constitutional.

Dated: New York, New York

July 23, 2021

Respectfully submitted,

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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

SHABTAI SCOTT SHATSKY, et al.,

Plaintiffs.

Case No. 18-cv-12355 (MKV)

v.

THE PALESTINE LIBERATION ORGANIZATION and THE PALESTINIAN AUTHORITY,

Defendants.

DECLARATION OF YANIV BERMAN

- I, Yaniv Berman, declare pursuant to 28 U.S.C. § 1746, as follows:
- I am a professional translator with an M.A. degree in Middle Eastern Studies from the Hebrew University of Jerusalem (Israel). I read Arabic, Hebrew, and English fluently, and I am qualified to translate from Arabic into English and from Hebrew into English.
- 2. I certify that the following documents are true and accurate translations of the Arabic and/or Hebrew original documents with the corresponding Bates numbers: Shatsky-JD00009 to Shatsky-JD00010; Shatsky-JD00012 to Shatsky-JD00082; Shatsky-JD00088 to Shatsky-JD00112; Shatsky-JD00118 to Shatsky-JD00183; Shatsky-JD00189 to Shatsky-JD00193; Shatsky-JD00199 to Shatsky-JD00224; Shatsky-JD00229 to Shatsky-JD00258; Shatsky-JD00267 to Shatsky-JD00291; Shatsky-JD00294 to Shatsky-JD00362; Shatsky-JD00365 to Shatsky-JD00523; Shatsky-JD00526 to Shatsky-JD00532; Shatsky-JD00535 to Shatsky-JD00534; Shatsky-JD00559 to Shatsky-JD00562; Shatsky-JD00566 to Shatsky-JD00569; Shatsky-JD00575 to Shatsky-JD00578; Shatsky-JD00587 to Shatsky-JD00590; Shatsky-JD00603 to Shatsky-JD00606; Shatsky-JD00628 to Shatsky-JD00631; Shatsky-JD00637; Shatsky-JD00659; Shatsky-JD00659 to Shatsky-JD00663;

Shatsky-JD00673 to Shatsky-JD00676; Shatsky-JD00681 to Shatsky-JD00684; Shatsky-JD00699 to Shatsky-JD00702; Shatsky-JD00707 to Shatsky-JD00709; Shatsky-JD00717 to Shatsky-JD00720; Shatsky-JD00725 to Shatsky-JD00728; Shatsky-JD00740 to Shatsky-JD00743; Shatsky-JD00751 to Shatsky-JD00754; Shatsky-JD00763 to Shatsky-JD00767; Shatsky-JD00775 to Shatsky-JD00778; Shatsky-JD00783 to Shatsky-JD00788; Shatsky-JD00798 to Shatsky-JD00804; Shatsky-JD00812 to Shatsky-JD00823; Shatsky-JD00825 to Shatsky-JD00828; Shatsky-JD00835 to Shatsky-JD00840; Shatsky-JD00844 to Shatsky-JD00847; Shatsky-JD00852 to Shatsky-JD00855; Shatsky-JD00858; Shatsky-JD00861 to Shatsky-JD00864; Shatsky-JD00867 to Shatsky-JD00870; Shatsky-JD00878 to Shatsky-JD00881; Shatsky-JD00885 to Shatsky-JD00889; Shatsky-JD00914 to Shatsky-JD00916; Shatsky-JD00920 to Shatsky-JD00923; Shatsky-JD00931 to Shatsky-JD00934; Shatsky-JD00936; Shatsky-JD00944 to Shatsky-JD00948; Shatsky-JD00959 to Shatsky-JD00965; Shatsky-JD00991 to Shatsky-JD00994; Shatsky-JD01007 to Shatsky-JD01010; Shatsky-JD01015 to Shatsky-JD01019; Shatsky-JD01024; Shatsky-JD01034; Shatsky-JD01036 to Shatsky-JD01039; Shatsky-JD01051 to Shatsky-JD01053; Shatsky-JD01058; Shatsky-JD01065 to Shatsky-JD01069; Shatsky-JD01078 to Shatsky-JD01081; Shatsky-JD01087 to Shatsky-JD01089; Shatsky-JD01096 to Shatsky-JD01098; Shatsky-JD01101; Shatsky-JD01105 to Shatsky-JD01106; Shatsky-JD01144; Shatsky-JD01147 to Shatsky-JD01148; Shatsky-JD01152 to Shatsky-JD01165; Shatsky-JD01169 to Shatsky-JD01170; Shatsky-JD01173; Shatsky-JD01176 to Shatsky-JD01177; Shatsky-JD01182; Shatsky-JD01216; Shatsky-JD01222; Shatsky-JD01227; Shatsky-JD01236 to Shatsky-JD01237; Shatsky-JD01240; Shatsky-JD01242; Shatsky-JD01244 to Shatsky-JD01245; Shatsky-JD01249 to Shatsky-JD01252; Shatsky-JD01256; Shatsky-JD01258; Shatsky-JD01262 to Shatsky-JD01264; Shatsky-JD01266; Shatsky-JD01273

to Shatsky-JD01274; Shatsky-JD01286; Shatsky-JD01292 to Shatsky-JD01293; Shatsky-JD01302; Shatsky-JD01304 to Shatsky-JD01308; Shatsky-JD01312 to Shatsky-JD01324; Shatsky-JD01328; Shatsky-JD01333 to Shatsky-JD01334; Shatsky-JD01343 to Shatsky-JD01344; Shatsky-JD01378; Shatsky-JD01390 to Shatsky-JD01392; Shatsky-JD01394; Shatsky-JD01405 to Shatsky-JD01406; Shatsky-JD01428 to Shatsky-JD01429; Shatsky-JD01444 to Shatsky-JD01445; Shatsky-JD01463; Shatsky-JD01490 to Shatsky-JD01491; Shatsky-JD01498; Shatsky-JD01522 to Shatsky-JD01523; Shatsky-JD01533; Shatsky-JD01535; Shatsky-JD01542 to Shatsky-JD01543; Shatsky-JD01551; Shatsky-JD01557 to Shatsky-JD01559; Shatsky-JD01562 to Shatsky-JD01582; Shatsky-JD01595; Shatsky-JD01599 to Shatsky-JD01600; Shatsky-JD01618 to Shatsky-JD01619; Shatsky-JD01633 to Shatsky-JD01634; Shatsky-JD01641 and Shatsky-JD01652; Shatsky-JD01666 to Shatsky-JD01667; Shatsky-JD01669 to Shatsky-JD01672; Shatsky-JD01697; Shatsky-JD01705 to Shatsky-JD01708; Shatsky-JD01711 to Shatsky-JD01713; Shatsky-JD01716 to Shatsky-JD01721; Shatsky-JD01729 to Shatsky-JD01730; Shatsky-JD01738 to Shatsky-JD01739; Shatsky-JD01764 to Shatsky-JD01765; Shatsky-JD01779 to Shatsky-JD01781; Shatsky-JD01813; Shatsky-JD01817 to Shatsky-JD01828; Shatsky-JD01840 to Shatsky-JD01844; Shatsky-JD01847 to Shatsky-JD01848; Shatsky-JD01851 to Shatsky-JD01856; Shatsky-JD01896 to Shatsky-JD01897; Shatsky-JD01900 to Shatsky-JD01907; Shatsky-JD01918 to Shatsky-JD01919; Shatsky-JD01922 to Shatsky-JD01925; Shatsky-JD01933 to Shatsky-JD01934; Shatsky-JD01938 to Shatsky-JD01942; Shatsky-JD01954; Shatsky-JD01963; Shatsky-JD01966 to Shatsky-JD01977; Shatsky-JD02009 to Shatsky-JD02015; Shatsky-JD02022 to Shatsky-JD02023; and Shatsky-JD02066 to Shatsky-JD02068.

The translations are labelled with Bates numbers that correspond to the original

documents, with the addition of a "-T" at the end to indicate that it is a translation.

4. To the extent that some of the information in the original documents was not

clearly legible, I have translated such information into English to the best of my ability. Such

instances are marked with an asterisk ("[*]").

I declare under penalty of perjury under the laws of the United States of America that the

foregoing is true and correct.

Dated: 1 October, 2021

Yaniy Berman

VR100 (1978) 10e.

MIMLEC

Filed 10/04/21

IBASED ON 1278 U.S. STANDARD CERTIFICATE

EPARTMENT OF PUBLIC HEALTH OFFICE OF VITAL RECORDS

LLINORS

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BOARD OF HEALTH-CITY OF CHICAGO



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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

SHABTAI SCOTT SHATSKY, et al.,))
Plaintiffs,	Case No. 18-cv-12355 (MKV)
V.))
THE PALESTINE LIBERATION ORGANIZATION and THE PALESTINIAN AUTHORITY,	
Defendants.)))

STIPULATION REGARDING DISCOVERY MATERIALS

The parties to this action, through their undersigned counsel, hereby stipulate and agree as follows:

- 1. The documents produced in this action and Bates-stamped Shatsky-JD00001-00005, Shatsky-JD00006-00010, Shatsky-JD00012-00249, Shatsky-JD00250-00534, Shatsky-JD00559-01101, Shatsky-JD01900-01907, and Shatsky-JD02009-02015 (the "PA Documents") are records of a regularly-conducted activity of Defendant Palestinian Authority, for purposes of Fed. R. Evid. 803(6).
- 2. The documents produced in this action and Bates-stamped Shatsky-JD01102-01899, Shatsky-JD01908-02008, and Shatsky-JD02016-02025 (the "PLO Documents") are records of a regularly-conducted activity of Defendant Palestine Liberation Organization, for purposes of Fed. R. Evid. 803(6).
- 3. Defendants reserve all other objections to the admissibility of the PA Documents and the PLO Documents, including objections on the basis that they contain hearsay within hearsay

that is not admissible under Fed. R. Evid. 803(6). The parties accordingly agree that nothing in this Stipulation shall be construed as an agreement that the PA Documents or the PLO Documents are admissible into evidence by any party. Plaintiffs reserve all arguments as to the admissibility in evidence of the PA Documents and the PLO Documents.

4. This Stipulation may be executed in counterparts, each of which shall be deemed to be an original, and all such counterparts shall together constitute one and the same Stipulation.

So stipulated on August 3, 2021.

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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

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V)
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THE PALESTINE LIBERATION)
ORGANIZATION and)
THE PALESTINIAN AUTHORITY,)
)
Defendants.)
)

STIPULATION REGARDING AUTHENTICITY OF VIDEOS RELATING TO AMBASSADOR RIYAD MANSOUR

The parties to this action, through their undersigned counsel, hereby stipulate and agree as follows:

- 1. Excerpts of the following videos were introduced as exhibits during the July 8, 2021 deposition of Ambassador Riyad Mansour in this action (the "Deposition"):
 - a) February 21, 2020 TRT Interview, available at https://www.youtube.com/watch?v=YiFm25C4N9U, an excerpt of which was introduced as Exhibit 6 to the Deposition;
 - b) October 22, 2020 ADC Presents: A Conversation with Palestinian U.N. Observer Dr. Riyad Mansour, available at https://www.facebook.com/watch/live/?v=706628353543937&ref=watch_permali nk, an excerpt of which was introduced as Exhibit 7 to the Deposition;
 - c) November 14, 2020 Beit Sahour USA Virtual Convention, available at https://www.youtube.com/watch?v=WTZtpXDiXTg&feature=youtu.be, an excerpt of which was introduced as Exhibit 8 to the Deposition;
 - d) November 19, 2020 Diplomacy Virtual Event Series: Amb. Palestine to UN, available at https://www.youtube.com/watch?v=MjtMIurFfaY, an excerpt of which was introduced as Exhibit 9 to the Deposition;

- e) April 6, 2021 The Palestinian Affairs and Biden's Administration: Status Quo v. Political Engagement, available at https://www.youtube.com/watch?v=14UIajoxO_c, an excerpt of which was introduced as Exhibit 10 to the Deposition;
- f) May 19, 2021 "Morning Joe" Interview, available at https://www.msnbc.com/morning-joe/watch/we-need-an-immediate-ceasefire-says-ambassador-112457285708?fbclid=IwAR20L8djkOkajL0GzdhvLYKyEbV-iiaISl656E08HQc26lXQhneME_ecQIc, an excerpt of which was introduced as Exhibit 11 to the Deposition; and
- g) May 22, 2021 Al Jazeera Interview, available at https://www.youtube.com/watch?v=NtBlFETUqRw, an excerpt of which was introduced as Exhibit 12 to the Deposition.
- 2. The parties hereby stipulate and agree that the entirety of the video recordings listed above (the "Video Recordings") are authentic for the purposes of Rule 901 of the Federal Rules of Evidence and satisfy the requirements of Rule 1002 of the Federal Rules of Evidence.
- 3. The parties expressly reserve all other arguments as to the admissibility of the Video Recordings. The parties accordingly agree that nothing in this Stipulation shall be construed as an agreement that the Video Recordings are or are not admissible into evidence by any party.
- 4. This Stipulation may be executed in counterparts, each of which shall be deemed to be an original, and all such counterparts shall together constitute one and the same Stipulation.

So stipulated on August 3, 2021,

Stephen M. Sinaiko Ronald F. Wick

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Attorneys for Defendants

Trt Interview (feb 2020). Cohen & Gresser LLP June 30, 2021 Transcript by TransPerfect

Tv presenter:	00.00 The Palestinian cause was introduced to the United Nations earlier, more precisely in 1947, after Britain granted occupation to a new entity formed on the land of Palestine called Israel. Seventy-three years of Palestinian struggle, during which the conflict stages varied from war to peace, along with the international resolutions that focused on the principle of a two-State solution. However, it did not prevent Israel from continuing to usurp Palestinian land and build more outposts, while the Palestinian people were content with achieving some intangible benefits. Until the US President Trump announced the Deal of the Century which changed all previous paths. In search of the repercussions of the deal in the halls of United Nations. I am Marwan Zaatar here in New York with Dr. Riyad Mansour, the permanent ambassador of Palestine to the United Nations. Mr. Riyad Mansour, Palestine's Delegate to the United Nations, welcome in TRT channel. We are here to discuss the Palestinian cause, particularly in the halls of the Security Council, the supporting and opposing states, and also the actual stances of the Arab countries regarding the Palestinian cause. Let's start first with this topic, what can you say about the Arab stance towards the Palestinian cause?
Guest: Tv presenter:	First of all, thank you for your invitation. Welcome to the United Nations, and as you can see, we are now in the main hall which is the General Assembly. The United Nations consists of different parts, including the Security Council. The Arab support is clearly a support of the Palestinian cause at the United Nations, not only the Arab States, but also the Islamic Group States, as well as non-aligned, African and European states. Therefore, the support of the Palestinian cause at the United Nations is a major support. This was reflected in the adoption of resolutions at the General Assembly, and also the Security Council, except one country that put forward its vision, the so-called Deal of the Century, under Trump Administration. It is the only party that is completely biased to Israel, particularly in the Security Council, where since this administration entered the Council, any draft resolutions put forward in favor of the Palestinian cause in the Security Council was disrupted due to the misuse of Veto. 05:00 We will go back to the Security Council later, but you talked about the full support of the Arab states, of
iv presenter.	course, the Arab foreign ministers unanimously rejected the Deal of the Century, but what do you think about the presence of the three Gulf countries when US President Trump announced the deal of the century.
Guest:	We hoped that no Arab or Islamic state would attend the media event in the White House, but we respect the sovereign stance of each state and most importantly what the Arab foreign ministers decided unanimously, including the foreign ministers of the states I mentioned. As when Mr. President attended that meeting in Cairo, the text of the draft statement written by the Palestinian side was unanimously adopted by the foreign ministers of all Arab states without any reservation.
Tv presenter:	How were the repercussions of the President Mahmoud Abbas's speech in the Security Council?
Guest:	His speech was widely welcomed by all. The Security Council base, as witnessed by those who watched the live broadcast in many tv channels, the overwhelming majority of the members of the Security Council welcomed it as well. Upon the end of the session, dozens of delegates from various states, whether Arab, Islamic, European or even the President of the Security Council and the Minister of Foreign Affairs of Belgium were among the first to greet the President and shake hands. There was a warm standing ovation as appeared on TV screens for the President, his speech and his bold and initial stance in which he expressed the stance of Palestinians vis-à-vis this political aggression on the Palestinian. For this reason, the Palestinian people and their leaders adopted this political stance against this deal because it is completely biased to the Israeli side and it cancels the inalienable national rights of the Palestinian people, including their right to have East Jerusalem as their capital, the right of refugees to return home and other questions, especially since it also gives a mandate to the Israeli authority to annex approximately forty percent of the West Bank area, whether in the Jordan Valley, the settlements, west of the wall area, or all parts of East Jerusalem.
Tv presenter:	Also, President Mahmoud Abbas addressed an invitation to the International Quartet Conference. You said that you are following up and making calls. Is there anything close about this?
Guest:	I also held a meeting yesterday with the non-aligned bloc in the Security Council, which consists of seven members. We addressed two letters before and after that and we notified the seven members of the non-aligned bloc with the latest developments regarding the various statements of Israeli officials expressing their inclination to annex parts of the occupied Palestinian Land in the West Bank as soon as possible. We also referred to the creation of the American-Israeli Committee to study the details of Israel's borders, which means that they wish to demarcate the borders unilaterally, without considering that the entire West Bank, including East Jerusalem, from the point of view of the United Nations and the international law, is an occupied land, and no side supporting another side can determine its status illegally without referring to the international references and to the owners of this land, who are the Palestinian people and their leaders.
Tv presenter:	10:00 Yes, also while the President Abbas was present in the Security Council, the draft resolution was supposed to be voted to condemn this deal, as was circulated on the media, then it was postponed indefinitely. Would you please explain to us what prevented the voting on this resolution?

Trt Interview (feb 2020). Cohen & Gresser LLP June 30, 2021 Transcript by TransPerfect

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Guest:	Before discussing the question of voting, I want to say that in our deliberation yesterday with the seven members
	intended to prepare them for the other step that requires us to go to the Security Council again to address the steps
	of annexation that the Israeli occupation authority may take, perhaps soon or after the Israeli elections to be held
	on the second of the third month. Therefore, we said to them that we are on a march, that on Tuesday, when the
	President came and delivered his speech and the rest of the delegations stated their positions, to the members of
	the Security Council, it was a step of the march, and now we are preparing for other steps, including the step of
	response.
Ty presenter	
Tv presenter:	Would you please tell me more about these steps?
Guest:	The other step is to address the question of annexation in order to try first to prevent its implementation, but if the
	Israeli authority, supported by the Trump administration, insisted on allowing them to carry out this illegal act of
	annexation, we will resort again to the Security Council in this regard. We intended to go to the Security Council
	after the Arab and Islamic Ministerial Council and the African Summit, then we reached the Security Council
	with the presence of the President. This aimed at highlighting that the world is still agreeing on the so-called
	foundations of the solution and its reference to resolve the conflict, which is to end the occupation that occurred in
	1967 and the independence of Palestine on the fourth of June 1967, with East Jerusalem as its capital, and that the
	position outside the international consensus, and unilateral and illegal stance of the American administration as
	well as the Israeli Prime Minister Netanyahu is isolated. Therefore, our resort to the Security Council is to clarify
	this question, not wanting the veto, as if the veto itself is a goal. Our goal is to highlight that the world, which
	invested for more than twenty-five years in finding a consensus on the foundations of the solution, which is to end
	the occupation and the inadmissibility of occupying the lands of others by force, and to create an independent
	Palestinian state, which declared its independence and to have its independence, with East Jerusalem as its capital.
	I can say that we have achieved this goal as almost all states, except one state, expressed their stance, so a veto
	was obtained without voting ceremonies for the question of the veto.
Tv presenter:	Is it possible to present the resolution in the next sessions?
Guest:	Yes, the draft resolution that was largely agreed upon by the overwhelming majority of the members of the
Guest.	Security Council is still present, except for some parts that may change.
T	
Tv presenter:	I was about to ask you. Was there a clear and explicit American request to change some parts, for example this
	sentence (except for achieving a just, comprehensive and lasting solution to this conflict)?
Guest:	15:00 No, the American administration and the American side wanted to ease the siege on itself and increase
	pressure on other parties. However, in the end, it realized that we have the overwhelming majority if we want to
	carry out voting ceremonies and the veto [sic]. However, we achieved that goal without taking this step, because
	we are still taking steps to address the repercussions of the deal of the century, and now we intend to deter the
	occupation and the American administration from annexing lands of the West Bank, even if the practical steps for
	annexation are signed upon official announcement of the Israeli government and the Knesset. We will go back to
	the Security Council now with the same draft resolution agreed upon and make some minor amendments in it so
	that it will mainly focus on annexation steps if the occupation authorities take them, and this is what we are
TD 4	preparing for the next days and weeks in the Security Council.
Tv presenter:	This means that Trump's legitimacy, so to speak, presents itself instead of the international legitimacy. How do
	you face this?
Guest:	According to the map they presented sovereignty between the Jordan River and the Mediterranean is for Israel.
	What they call the Palestinian state [could be established], if we fulfill a set of conditions set in the plan, including
	the Jewishness of the state, sovereignty for Israel, security for Israel and Jerusalem for Israel, no right of return for
	refugees and so on and so forth. Then after four years of negotiation and withdrawal of arms from Gaza And
	stripping weapons from the so-called Palestinian state, and if we demonstrate good behavior, it is possible for us
	to have these three parts in the West Bank, connected to each other by bridges and tunnels, of which the southern
	part is linked to Gaza by a tunnel. It is practically three separate parts with gates, whether the bridge or the tunnel,
	and if the occupying authorities want for any reasons, from their point of view related to security, they can
	separate the northern part from the center, the center from the south, and the south from Gaza whenever they
	want, because these three parts in the West Bank and the fourth in Gaza are practically linked to each other with
	gates.
Tv presenter:	But at the same time, what do you think about what US Ambassador Kelly Craft said in the Security Council that
-	this deal is a proposal and also her call for dialogue and not to prejudge this deal.
Guest:	Now, the whole process related to this deal is managed by President Trump's son-in-law. All previous proposals,
Juos.,	including the Arab peace plan, underlined general principles and left for negotiation the detailed questions of the
	implementation. This is the plan with the annexes and maps- of one hundred and eighty-one pages. He is
	preoccupied today with demarcating the borders of Israel, in any street and any village, which means that these
	are not general principles that leave the details to the negotiating parties. For example, in the Oslo Conventions,
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Tv presenter:	are not general principles that leave the details to the negotiating parties. For example, in the Oslo Conventions, more than twenty-five years ago, they used to say that negotiation shall be for the questions of the final solution, including Jerusalem, Refugees, settlements, water and security; therefore, the final solution negotiations and its details are left to the negotiating parties. This plan has full details, and therefore it is not a general plan presented for negotiation. Rather, it is practically a plan to be imposed on us completely by the President Trump

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	hundred and eighty-one-page deal, since the year forty-six there were eight hundred UN resolutions issued by the United Nations regarding the Palestinian cause, how is the formula and did you communicate with Keshner when	
Guest:	he was here? 20:00 I mean, I do not communicate [with him] and we have a clear and explicit decision, since the Trump Administration granted to the Israeli occupation authority in December 2017 Jerusalem as the capital of Israel, and moved its embassy from Tel Aviv to Jerusalem, all forms of official relations between us and the US ceased, because Jerusalem, if we read the Oslo convention, is one of the questions of the final solution, and Jerusalem, for which the previous American administrations wrote a text about stating that it has an international status, when they wrote the one hundred and eighty-one resolution which called for the division of Palestine into two states and that Jerusalem have an international status, until the Trump administration came to completely change that, change the international stance and the stance of previous US Administrations that Jerusalem's status is decided by the parties that reach the final status of Jerusalem which the world accepts it. It violated it unilaterally, provocatively and illegally, in clear violation of Security Council resolutions which were supported by previous American administrations in the eighties, and therefore from that moment until it became clear to us the so-called details of the deal of the century, starting with the most important question for us, which is Jerusalem and its	
	sanctities which are for us in the Palestinian State the heart and soul of the issue. If they steal the heart and the soul, nothing remains alive in our bodies, which is the issue we are talking about, and for this reason, since that moment until now, we have ceased all relationships with USA.	
Tv presenter:	Yes, relations are ceased with the White House administration, the least of which is the current administration. What about the Congress, especially since there are a number of deputies, I mean there are about one hundred and seven deputies who submitted a document objecting to the deal of the century, as well as twelve members of the Senate.	
Guest:	We salute these stances, as well as the stance of the four presidential candidates in the House of In the Democratic Party, who rejected the deal of the century and rejected the stance of the Foreign Minister when he said that settlements are not illegal. We salute these positions and we are ready to talk with these personalities and we hope that there will be more streams of the American society sympathetic to the just position of the Palestinian people and preserving previous international consensus positions, especially the two-state solution, because in the statements issued by twelve members of the Senate and one hundred and seven members of Congress still affirm the two-state solution and the illegality of settlements, and we affirm that we are ready to talk with them or some of them, even with some members of Congress. The Republican Party went to Ramallah and met with the Palestinian leaders. We are ready to resume dialogue with them and to represent their elected representatives from the people. We are also ready to develop the relationship with them. There are other forces in society, including institutions of J Street style and others whose positions are closer to the international consensus, as expressed in the United Nations resolutions which symbolize the end of the occupation and the two-state solution. We are ready to deal with all these parties and to discuss with them and to push the issue of a just solution forward with them and with others.	
Tv presenter:	To what extent are Palestinians able to face the Israeli and American lobby today?	
Guest:	In Washington D.C.	
Tv presenter:	Yes	
Guest:	We do not interfere in the internal affairs of the United States of America	
Tv presenter:	Alright, in this case, we are talking about the Palestinian Cause	
Guest:	In this regard, this is perhaps one of the few times and almost the first time that such a sharp division has occurred within the American society, where you see a large number of members of the congress, civil society organizations and even organizations of the Jewish community facing other organizations that work unilaterally supporting President Trump's plans. Such plans have not been crystallized in the past, as it has always been the issue of Israel, not a contentious issue between the two parties, now it is a contentious issue between the two parties or between a large bloc in one of the two parties and the American administration. This can help after we know the results of the American elections in November to build upon so as to correct the path towards the solution called for by the United Nations and the international community, (i.e. the two-state solution).	
Tv presenter:	Yes. Mr. Riyad Mansour, Ambassador and representative of Palestine to the United Nations, thank you very much	
Guest:	Thank you.	
Guest.	Thank you.	

Transcription Certification



I, Daniel Boisson, hereby certify that the document "TRT Interview (Feb 2020).doc" is, to the best of my knowledge and belief, a true and accurate transcription from Arabic to Arabic.
Source URL (accessed 6/24/2021):
https://youtu.be/YiFm25C4N9U
Daniel Boisson
Project Manager

Translator's Certification



CERTIFICATION

TransPerfect is globally certified under the standards ISO 9001:2015 and ISO 17100:2015. This Translation Certificate confirms the included documents have been completed in conformance with the Quality Management System documented in its ISO process maps and are, to the best knowledge and belief of all TransPerfect employees engaged on the project, full and accurate translations of the source material.

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TRT Interview (Feb 2020)

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Target Language(s) English

Reason for signature: I approve the accuracy of this document content as written Authorized Signature:

Abdeladhim Bouafia (Jul 7, 2021 19:44 GMT+4)

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Date: Jul 7, 2021

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TransPerfect

Senior Project Manager

LANGUAGE AND TECHNOLOGY SOLUTIONS FOR GLOBAL BUSINESS

Adc Appearance On Facebook Live (oct 22, 2020) Cohen & Gresser LLP July 01, 2021 Transcript by TransPerfect

[00:00:00]

ABED AYOUB: And folks, if you're viewing the webinar, we have a good number of people in the webinar. You can ask your questions in the chat box or in the Q&A box. We'd appreciate it in the Q&A box so that the participants can see it. But I think we're going to go ahead and get started. Thank you, and thank you everybody for your patience. Thank you for your patience as we get this going. In the age of COVID and Zoom, we always run into a little bit of technical problems, but that's certainly nothing that we can't overcome. But we're delighted for you all to be with us. ADC is proud to host this conversation and this session as we've been doing throughout the pandemic, for most of 2020 with the new realities we're facing, trying to deliver to you conversations on important issues and important topics that impact the community. And this is definitely something that's very timely and we appreciate the support. And keep an eye open for future seminars that are coming up. Because we are starting ten minutes late and out of respect for our participants' times and your times, I'm just going to read just short bios for Dr. Mansour and for Said Arikat, our moderator who's joining us today and is, both of them are dear friends of ADC. We thank you for being here. Dr. Mansour is the Minister Permanent Observer of the State of Palestine to the United Nations. He has an illustrious career in Palestinian diplomatic service that began in 1983 with the PLO and has been really involved in a number of issues and brings forth a very good insight for the community and will be able to hopefully provide us a lot of updates on what's going on, the new realities and everything that we are facing. And it's definitely, like I said, a very timely conversation. Mr. Said Arikat's a long-time friend of ADC, a long time Washington based journalist and analyst, somebody who brings a very critical voice to these conversations and I think will be playing a good, bringing some good information, pulling some good information out of Dr. Mansour today. So I am here to learn and I'm here to get information, so I'm going to turn my camera off and listen to what's going on. And again, if you have questions, please put them in the question and answer box. And if you're on Facebook, put them in the comments section. We'll get those to you. So Said, I'm going to kick it off to you and I'm going to turn my camera off.

SAID ARIKAT: Well, thank you, Abed. It's always a pleasure and an honor to be part of any event that ADC does, and our organizers, and it's of course an honor and a pleasure to be with my good friend, Dr. Riyad Mansour. We've known one another for a very long time and he's always been there in the forefront of the Palestinian struggle, especially on the international scene. And for that we thank him. And to begin with, Dr. Mansour, I just want to, I hope that you and your family are doing quite well, and during these precarious times, health wise and every other wise. I'm going to pose a few questions to you before we go to the -- audience or to the viewers in this case to ask their questions. And my first question to you is regarding the overall status of reconciliation between the reconciliation efforts among the Palestinian, among Fatah and Hamas, and the rest of the Palestinian faction groups.

AMBASSADOR RIYAD MANSOUR: Well, Said, I want to begin by thanking you again for playing this role. We've done a similar encounter in one of ADC conventions a few years ago. And also I want to thank Abed and thank my good friend, [PH] Helfik, who was instrumental in suggesting the idea of me meeting with an audience from the ADC and their fans to address

issues of importance to the struggle of the Palestinians. And also, I am very familiar with the ADC. I can even say that I was one of the founding members of the ADC. It's a very important organization that dates back a long time ago to the time of [INDISCERNIBLE] and those who are key leaders in establishing this great organization in the -- in the United States of America.

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Now regarding your question, it goes without saying that [INDISCERNIBLE] is a massive amount of feds against the -- against the Palestine national interest, stemming mainly from the continuation of Israeli occupation and the extreme rightist government of Prime Minister Netanyahu on one hand and the current U.S. administration of President Trump, that tried for the last few years to advance its vision as the deal of the century, which from our point of view, when they finally went over the details on the table on the 28th of January, and two years before that when they deviated from international law and established U.S. policies, different administrations since 1948 with regard to Jerusalem and recognizing Jerusalem as the capital of the state of Israel and moving the embassy from Tel Aviv to Jerusalem, from this one attack anything the national rights of the Palestinian people, it became crystal clear that for the Palestinian people and their political organizations, you cannot survive the challenges of such a twin attack while our house is not reunited, and while we're still divided geographically between Gaza Strip and the West Bank, including Jerusalem, and our political system also is divided in the manner that we all know. So it became extremely important to put the house in order. And in this connection, the meeting of the Secretary General of all political groups within the PLO and outside the PLO that took place in Ramallah and Beirut about a month and a half ago, was extremely important step in that direction. And I believe that the national interest of the Palestinian state requires the completion of this exercise on all fronts. First front is the formation of the [INDISCERNIBLE] for the resistance to the Israeli occupation, the unification of the factions within the PLO, as the PLO is the sole and legitimate representative of the Palestinian people, and also to put an end to the division. Now, there has been activities since the famous meeting in Beirut, in Ramallah and Beirut, including ideas which you might ask me about the possibility of election.

SAID ARIKAT: My next question. Yes.

AMBASSADOR RIYAD MANSOUR: Yeah, but yet we are not yet moving completely on these files that we discussed in that famous meeting, including the formation of a special body from [INDISCERNIBLE] and all political groups, and all are ready to submit to an emergency meeting of the Central Council of the PLO, a road map of accomplishing these lofty objectives as I have mentioned with regard to [INDISCERNIBLE], the PLO, the election, and all the important issues. We are still working on it and I sincerely hope that we can announce to the Palestinian people everywhere that there are practical steps that will be announced in this regard, including if there is a consensus on a date for a proclamation by the President on the day for national election, starting with a component of the Palestine National Council of Representatives of our people in the occupied territory.

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There are people who talk about the executive council. There are others saying that this component of the Palestine National Council will start connecting that component of the 132 deputies, more or less like the Parliament of the Palestinians in the occupied territory, but it is part of the Palestine National Council, to be expanded by representatives of the Palestine National Council of our people outside of occupied Palestinian territory.

SAID ARIKAT: Okay. So there was also a meeting in Istanbul, if I recall correctly, I think. Yeah. And we will talk about the Palestinian relations with Turkey and other -- and other countries in the aftermath of normalization between certain countries and Israel. But I want to go back to the issue of elections. How do you propose -- first of all, on the PNC, the Palestine National Council, is not really elected directly. So how is that going to change in this upcoming election? How would Jerusalemites vote? How would the Palestinians and the Apsara participate? I'm sure that the leadership probably has a vision for the road forward on these issues.

AMBASSADOR RIYAD MANSOUR: There is an agreement, unanimous agreement with all political groups, that next election that we will have, it will be 100 percent proportional representation, meaning that we will not have election of districts as we did the last year of 50 percent district, 50 percent proportional representation last time. It has been agreed by all groups, it was obvious in the discussion and the speeches of the Secretary General of the political groups that there is a unanimous decision that this time it will be proportional representation, which means that there will be slates and you will be voting for the slate, and that slate will be represented according to the percentage of the votes that it receives during election. So that this way, it resolves many issues for us because Gaza Strip, the West Bank, and East Jerusalem all would be one district. So that when you vote, there will be a slate. Say there is a slate of a political party or a group of parties in coalition having a slate, in which that they will have up to 150 deputies as the first step of the election. And therefore, if they receive, let's say, 40 percent of the votes, so then that slate, the first 40 percent of the 152, which we'll say approximately will be about 60 or 55, then that political party or slate would be represented by those 55 individuals, regardless of where they're from, from Gaza, from East Jerusalem, from the West Bank, so that this way you don't have the problem of the state having election of districts in East Jerusalem and then therefore is restricted to that district and those who are running for that district in comparison to the old system. Second also aspect of this election, there is a debate as to is it going to be the legislative council and therefore people are saying, some, that the 19th of May, Palestinian leadership indicated that we are now absolved of our obligations towards the Oslo Agreement. So therefore, the legislative council is not going to be in the old format, it is going to be the election of, the first election, direct election for the settlement of the Palestine National Council representing our people in the occupied territory to be followed by the Presidential elections according to agreement.

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And the discussions in Istanbul and the discussions in Damascus with the groups there with the delegation of Fatah, and by the [INDISCERNIBLE] there, to be followed, as I said, by

Presidential election and then to be completed by having the election outside the occupied territory for the remaining part of the Palestine National Council so that we would have the Palestine National Council elected to all the areas as well as the Palestinian people who live in the occupied territory and outside the occupied territory. So that is the discussion.

SAID ARIKAT: Yeah. Well, and definitely the election issue is, we could talk about it all day long because it is complex and many factors enter into it, for instance, Israel allowing the elections to begin with, or to start with, but let me move on. I mean, the last time we spoke, you and I, we talked about the strides that Palestinian diplomacy was making throughout the world. So how could we, how could the Palestinians find themselves in this position where actually Arab countries that are not even party to the conflict with Israel, not party in terms of having confrontation or have conflict with Israel, could actually jump ship and in essence change alliances, normalize with Israel. Where was Palestinian diplomacy? And you're one of the leaders of this diplomacy. How could such a thing happen?

AMBASSADOR RIYAD MANSOUR: Well, you see that with regard to Palestinian diplomacy, and I restrict myself to the area that I am involved in in occupation, headquartered with the United Nations in New York, since the announcement of the Trump administration of their so-called deal of these, and since they announced their shift of position with regard to recognizing Jerusalem as the Africa of Israel, and here I'm referring to the end December of 2017, which is approximately close to three years ago. On that moment on, different delegations representing the Trump administration came very often to the Security Council and tried to convince the international community that the global consensus on ending the occupation and the two-state solution on the border of 1967 and the national rights of the Palestinian people and the parameters and the basis of international law and U.N. resolutions and the other initiatives and other elements, is irrelevant according to Jared Kushner. He used to come very often to the Security Council. And 14 members of the Security Council rejected that position of the Trump administration, and in fact for three years, since December of 2017 until now, they have not gained the support of any of the members, 14 members of the Security Council because the 14 members insisting that this conflict should be resolved on the basis of the ending the occupation and on the basis of international law and relevant U.N. resolutions and two-state solution, more or less on the borders of 1967, and the just solution to the refugee questions on the basis of relevant U.N. resolutions. So in that sense, I don't think that the Trump administration or those who recently embarked on normalization, succeeded in convincing anyone. And of course, there are, one can refer you or I'm sure that you read and your audience read many articles about the motives behind normalization by some other countries and moving away from the basis of Arab Peace Initiative. Among all these elements of the analysis, I would say if I had to help President Trump to win the elections, I would --

SAID ARIKAT: I understand -- I understand all this, and I've written a great deal about normalization. But I want to pose a question to you. Isn't it really, I mean, we have to look at not only what happened in 2020, but also the lead up to 2020. Isn't this a failure of the leadership to basically preempt that, stop this sort of running towards Israel and towards, basically shifting alliances against the Palestinians?

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I mean, we all remember that during Camp David with Egypt, basically Egypt was ostracized, the whole Arab world moved to Gisa, they moved to Tunis and so on. So why have you failed even to get the Arab League to let's say issue or call for a meeting to discuss that issue?

AMBASSADOR RIYAD MANSOUR: Let me come back again. We are through the United Nations. We have many meetings for the Consulate of the Ambassadors. There is no deviation from the consensus and the traditional unified position regarding the Palestine Question at the United Nations. Even from those who have signed these agreements of normalization, it keeps repeating and saying that they are not changing their position as is agreed the Palestine Ouestion. So if I ask at the U.N., and there will be resolutions, a relation of resolutions, will be introduced, will be sponsored and co-sponsored, and it will be adopted by the overwhelming majority with the support of all of the countries working. At least here at the United Nations, one cannot claim that there is success for the Trump administration visa vis their plan, or the claims of Israel that there is something significant that happened in the Middle East and it should be reflective of the U.N. In fact, the new Israeli Ambassador, when he introduced a claim to Prime Minister Netanyahu during the debate of the 75th anniversary, he was frustrated and more or less he cursed the General Assembly. He said that we had historic agreement, but yet you are not reflecting it in the debate and you are still focusing on the narrative of the Palestinian side as it relates to the Ouestion of Palestine. Now, with regard to our comfort in the Middle East, we all know what happened and what happened in the meetings of the legal Arab states. We all know. You know that. But that is not the arena where I operate.

SAID ARIKAT: I understand.

AMBASSADOR RIYAD MANSOUR: I operate in the arena of the United Nations.

SAID ARIKAT: But you're a member -- you're a member of the leadership. You are a member of the leadership. I'm talking about the Palestinian leadership. I think it was caught unawares. And obviously, they were caught without a plan to counter these measures, these anti-Palestinian measures, and in fact, we have not seen really much effort since the signing of [INDISCERNIBLE] certainly, on September 15 until today. So what is the plan forward to counter such an effort? Because I think my feeling, at least, as an analyst, if Sudan, let's say, goes the way of the United Arab Emirates or Bahrein, it would be a disaster for the Palestinians. Go ahead.

AMBASSADOR RIYAD MANSOUR: Well, let me just say, it is very unfortunate that these developments have taken place now, taken place with the most extreme rightist government in the history of Israel, and during the time of the most hostile President of the United States visa vis the Palestinian people. It's very unfortunate that our brothers from our countries that have selected this time to do the normalization, and even their claim that they did it in order to stop the annexation. Frankly speaking, the annexation was postponed or stopped because of the steadfastness of the Palestinian people on the ground and their leadership and the global rejection of annexation as a blatant violation of internationalism. That is the reality, but they used it as an

excuse for taking that step that they did. Again, I want to say it is very unfortunate that it happened. I wish that it did not happen, at least not anything like this to happen at this time, but those who are responsible for making these decisions should be held accountable for these decisions that they -- that they make. And I wish that the Palestinian leadership that is involved at the high level of the daily decisions that was able to find ways of preventing it from happening before it happened. There's not -- there's not much more I can say other than it's present history.

SAID ARIKAT: Yeah, well, you know, I mean it's, I don't want to suck all the oxygen and we want to give chance to the -- to the listeners and the viewers to pose some questions.

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But since you mentioned the hostility of the present administration to the Palestinians, that the whole world sees, too, I want you to imagine, what is the foreign policy of the Biden presidency, if he's ever elected, what is going through, what is going to be like toward the Palestinian issue and the entire region? How do you imagine this to be?

AMBASSADOR RIYAD MANSOUR: Well, you know as well I do, and I think that you obviously know better than me that there was compacts and meetings with some of the representatives of the democratic party and the Biden group, with the activists and leaders among the Palestinian-American community and the Arab-American community, in which they extend some ideas as to how a Biden administration, if they win the election, would be visa vis the Question of Palestine. And I'm sure that I don't need to share with all of you an article to that effect. And it reflected some of these elements that will be contained in the Biden administration, if he wins the election, visa vis the Israeli/Palestinian conflict, it might be similar to President Obama, with one significant difference, which is the strength of the progressive wing inside the democratic party and the phenomena of Bernie Sanders. In the election of 2016, that phenomena started as a movement. And then for the last four years, it became a significant movement within the democratic party that we hope that it will affect the significant, that it will affect the democratic party in more of a different way than the traditional policies of the democratic party in the past. But let's not jump ahead of ourselves. Let's just wait and see what will happen in the election. And the analysis will be extensive if the Biden ticket wins the election and in fact be the next President of the United States of America.

SAID ARIKAT: I want to go to the listeners and viewers. But very quickly, do you see a reengagement with a Biden administration in a short order if Biden is in fact elected President?

AMBASSADOR RIYAD MANSOUR: My personal opinion that if President Biden, if Vice President Biden to win election, it would be within our interest to engage the incomers as quickly as possible over many issues related to the Palestine Question.

SAID ARIKAT: Well, this is a good segue to go to Abed and have him ask participants questions. Thank you.

AMBASSADOR RIYAD MANSOUR: Thank you.

ABED AYOUB: Thank you. And thank you for the conversation. One question that came in since you mentioned the Biden administration and talking the elections and not getting ahead of ourselves, how do you view a second Trump term, if he is to win in November?

AMBASSADOR RIYAD MANSOUR: Well, if history is the best indicator of the future, as I was explaining, in the last few years, the Biden administration embarked on policies that were extremely offensive against the Palestinian people and their national rights, and also there were violations of the international law and agreed upon U.N. resolutions as they related to the Question of the Palestine. So if that record is with us and to be the indicator of what the case will be with a second term of President Trump, I don't want to use the words of Prime Minister [INDISCERNIBLE], but he, for the sake of argument, I'll use it, the greatest articulation, in which he said that if there will be four more years of President Trump, God help us, quote, end quote. That's what he said. But for me as a realistic politician, the decision as to who will be the President of the United States is a decision for the American people to make.

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And our destiny would force us to be with whoever will be in the White House in the future, to deal or not to deal, as we have not dealt with the current administration for almost three years because of the shift of policy starting from Jerusalem. But let's hope that things will change in a positive direction so that we can engage very actively with an administration that is serious about trying to find a solution to this conflict that's lasted for way too long. And the suffering is tremendous, especially for the Palestinian people. And we are interested in the end of occupation and the independence of our state with East Jerusalem as its capital.

ABED AYOUB: Another question that came in, it's actually timely with everything that's happening right now, what is the situation of COVID in regards to treatment and so forth in Palestine?

AMBASSADOR RIYAD MANSOUR: Well, of course, in addition to the misery and the difficulties of our people under occupation, and the blockade against our people on the Gaza Strip, quote unquote [INDISCERNIBLE], which compounds the hardship of all segments of our population and their basis. COVID came to compound the problems. Initially, we thought that we were slightly ahead of the game and the level of infection was no, in the first phase of the COVID, but we've been seeing during the last few weeks and maybe a month or so sort of like a spike in the COVID that requires more resources from us. And we're having all kind of difficulties, really financial difficulties, which would make countering the COVID a problem that requires additional resources. And it's adding to the suffering of our people as we move forward.

ABED AYOUB: Thank you. Sorry, I'm going through -- go ahead, Said.

SAID ARIKAT: I just wanted to pose another quick question. How has this normalization, sorry to go back to it once again, affected your effort with non-Arab other members of say the General Assembly or even the Security Council and so on, are you discussing the issue of

normalization with them? And how do they feel about such a step in terms of impacting any potential, either under a national conference or moves forward to let's restart negotiations or anything similar to that?

AMBASSADOR RIYAD MANSOUR: The two parties that are trying to capitalize on this development in the international arena is the U.S. administration and Israel. But the international community, including the few countries who would likely acknowledge any step from their view that they perceived as a step serving the cause of peace, yet they say immediately after that that there has to be a complete negation of annexation. They see that there will not be peace on any basis except that novo consensus basis, international law, and U.N. resolutions. And here I'm referring to the Europeans. One needs to listen to the statements of the Europeans, one can see that they are adamant not to deviate from Security Council resolutions and the end of occupation and the two-state solution. So even with this development of normalization, even when indiscreetly, when Jared Kushner brought two ministers from the two countries that --

SAID ARIKAT: Normalized.

AMBASSADOR RIYAD MANSOUR: -- adopted the normalization and had secretive or not public event with members of the security council, three members boycotted, Indonesia, South Africa, and Indonesia.

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Others participated at the level of junior diplomats, not even ambassador, such as France and others. So therefore, you bring this kind of evidence trying to show that we've done something historical and it is not being received enthusiastically by members of the Security Council, is an indication of failure of those, particularly Jared Kushner, who came to the Security Council, not to convince them because he tried for three years and failed, that their ideas are good ideas, but he tried to show them that, well, at least I succeeded in normalization between Israel and these countries, and they brought to the Security Council to show that I succeeded. But they did not buy it. That's an example. Let me just also show you that President [INDISCERNIBLE] announced an initiative in the General Assembly building on what he proposed about three years ago in the Security Council and in February of this year in the Security Council, calling for an international conference. But in this current initiative, he said that I am not calling for the conference, I am calling on the Secretary General of the United Nations, aberration and coordination with the Quartet and the Security Council to begin the practical steps for convening this conference as of the beginning of the next meeting, after that, American elections, and to be on the basis of international law and the global consensus, U.N. resolutions, et cetera, and to involve all the concerned parties. Now, on the 26th of this month, which is Monday, there will an elevated meeting of the Security Council under the Presidency of Russia. And their Deputy Foreign Minister will preside over that meeting. Our Minister will participate. And hopefully other Ministers. And the main discussion will be on the initiative of President [INDISCERNIBLE]. And we want to show through this debate to the international community and to everyone that there are two approaches. One approach that we are part of and we are proposing is inclusive to include everyone, especially the Secretary General, the Quartet, and the

Security Council, and all parties, on the basis of international law and the global consensus, to really move in a practical way to end the occupation and to resolve this conflict. And the other position, narrow, selfish, dominated by one party, which is the U.S. administration, trying to drag the Palestinians to negotiation with the Israelis on the basis of the vision of President Trump. So we want to show the contrast between the one that has solid basis to open doors for justice and peace and one that will continue to prolong this conflict and try to sell the merchandise of normalization to substitute instead of a place of just solutions to this conflict, which should address any number of national rights of the Palestinians.

ABED AYOUB: Thank you. For the next question, I'm going to combine a few questions that have been coming in. And I'll start off asking what are the -- what are the international tools that could be used to prevent annexation? And what happens in the next few years if Israel continues annexation of the West Bank? So we did get a few questions about annexation, what happens if it continues and what tools could be used to stop it?

AMBASSADOR RIYAD MANSOUR: Well, first of all, for us here in the area where I operate, if there is concrete steps in the direction of annexation, as one see it in the vision of President Trump when they announced all the details and the maps on the 28th of January.

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And that announcement of Prime Minister Netanyahu when he said that as of the beginning of July, we will begin the process of annexation of approximately 1/3 of the occupied West Bank, in the Jordan Valley, the northern coast of the Dead Sea, and all of the settlements, then we were ready to immediately move to the Security Council, expecting one veto. The rest is 14 rejecting this illegal and extreme breach of international law. And then we are ready also to go to the General Assembly in an emergency session and to take a host of steps if we are forced to go back out in our effort to isolate those who would try to advance this illegal breach of international law and Security Council resolutions. So far, they are not doing that. They are intensifying settlement activities. That they are doing, and then we expect them to continue doing that. But if they move in the direction of efficient annexation of any part of the occupied West Bank, then we have tools at the international level. First, the other tool that we are pressuring day and night is for the ICC, the International Criminal Court, to begin the official investigation of this war crime of settlement activity. And of course, you add to it the policy of the current Israeli government of annexation. So far, the lower chamber did not give authorization to the prosecutor as to the jurisdiction of the areas where prosecutors should conduct its investigation. Our expectation may be they are until the results of the American election to make that procedure, a position, because jurisdiction of the occupied Palestinian territories are well known. There are many resolutions at the U.N., whether in Security Council or in the General Assembly, but you find land that is under occupation and it is not under the jurisdiction of the occupying authority, but it is under the jurisdiction of the state of Palestine, which is a state party with their own statute as it relates to international conflict. So we have tools available to us and we will keep pressuring to use them. But also, the most effective tool is unity of the Palestinian political system and unity of our people. And then this division, between the two parts of the land of the state of Palestine, Gaza, the West Bank, so if we succeed in solidifying our unity and then the

division, that would be one of the most significant and powerful tools that would allow for the formation of the national command to gather what [INDISCERNIBLE] that should embark on the daily activities of combatting and resisting [INDISCERNIBLE].

ABED AYOUB: You mentioned unity. One question that came, what are some of the roadblocks for unity within the Palestinian community?

SAID ARIKAT: Oh, good question.

AMBASSADOR RIYAD MANSOUR: Yeah, their own luck is still, they are not moving at the faster pace. Meetings are taking place. General agreements are taking place. But there has to be a faster pace. The expectation among the Palestinian people, for example, with regard to election, is that the President to issue a proclamation of deciding the date of election so that people can start preparing for it. That's one element. The other element is a road map stemming from all the things that were discussed in the Secretary General meetings about a month and a half ago between Ramallah and Beirut meeting so that we can see concrete results of what was discussed and to come into reality so that people can see the results or that the train of national unity is on the right track.

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And it is leaving the station in the direction of [INDISCERNIBLE] resistance to peace.

SAID ARIKAT: Well, and I just want to make a quick comment at this. I think anyway there's the huge, the major responsibility for this unity of the Palestinians. We prevent them from being one another. We prevent them from congregating and organizing. But it also physical separates them and very violent separation. Not a docile kind of separation. So they should always, their responsibility. My question to you, if I may, Abed, jump in here, just with a quick question, is the Palestinian leadership, are they ready to let's say, we are going to give up on this notion of two-state solution simply by virtue of what we have on the ground today. Because nothing on the ground says there is a two-state solution in the offering.

AMBASSADOR RIYAD MANSOUR: Well, listen, I know that there has been debate during the last few years over this issue, is the two-state solution still viable or not? In this regard, I would advise the audience if they are interested in getting [INDISCERNIBLE] on this issue, at least read the two articulation and documents by two Palestinian leaders. One is Nassar al-Qudwa. He had in Masarat, like this one, which he articulated the defense of that two-state defense or a national platform of the Palestinian people. And if I am not mistaken, it might have been even [INDISCERNIBLE]. And my suggestion is to read that document. The other document that also even went in certain areas in depth by [INDISCERNIBLE] man is Deputy Secretary General of the Democratic Front for the Liberation of Palestine. So that these two documents I think that are very serious documents from serious leaders as to responding to many of these questions like the question that you raised, Said. And if there are people who are bold and articulate and extensive in their articulation about saying that the two-state solution expired and the one-state solution is the replacement, I think it should be also studied because that is part

of the debate. Because until Nassar gave his extensive expose and Fayed, that part of the discussion was not serious. And I hope that the many to come through there debating this issue, because at the end of the day, if there is an extensive debate among the Palestinian people as to whether to adjust our national platform into something different or to defend our current platform, I think it's a healthy discussion to debate this.

SAID ARIKAT: Okay.

ABED AYOUB: A couple questions that came in. Given the past history, what hope do you have in working with the ICC? And another question, I'll just start combining them. What about the continued home demolitions that are still happening during a global pandemic? What's being done to stop those?

AMBASSADOR RIYAD MANSOUR: Well, with regard to the second one, there is a global pressure on Israel against home demolition. Among the most powerful in this regard are the [INDISCERNIBLE]. And I think that their position is very respectable. If one follows the debates in the Security Council or debates and discussions in Brussels from the European Union, the Council, the Commission, at the ministerial level, at all levels, they are very vehement against home demolitions and destructions of structures in the so-called Area C, because most of these structures, including schools and dwellings, are being financed through the European Union. So there is a strong opposition against that.

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And in my opinion, overall, the number of home demolition is relatively high, but it is also helping to stop Israel from even embarking on more of an aggressive policy in this regard, and we need to continue pressuring them in this action. And in Washington, if you can, have some campaigns with Congress in this regard, I think that that would be extremely helpful and positive. With regard to the ICC, I believe the ICC, a prosecutor took the significant step that took us a long time to get her to do, which is she is convinced now and made the decision that she should open an official investigation about war crimes, particularly war crimes of settlements. Now, I think that the lower chamber cannot drag their feet on the procedural issue about jurisdiction for a long period of time. My expectation, something will happen relatively quickly after the election in Washington D.C.

ABED AYOUB: Thank you. So Said, I think we went through most of the questions that are coming in the question box. I don't know if you have any you want to --

SAID ARIKAT: I mean, I don't know how much time we have, so with whatever little time left, of course, I want to ask Dr. Mansour, again, this issue, this daunting issue of normalization that is going to be hovering over the past ten years, over the near future at least, and there is a foolhardy celebration in this town, in Washington, in the think tanks and prorated groups and so on, with the abandonment of the Palestinian cause by Arab countries and other friendly countries, basically says that the people of the world are tired of the Palestinian cause, and second, that basically Israel has been legitimized in what it does. So how, again, how should the Palestinians

counter this, not only this move, but this effort to delegitimize the Palestinian right, national right, to their homeland?

AMBASSADOR RIYAD MANSOUR: Well, I don't see a similar situation here of the United Nations. I don't see the atmosphere that you're describing. Maybe it is a Washington kind of thing.

SAID ARIKAT: Yeah, it is. Definitely.

AMBASSADOR RIYAD MANSOUR: But here, in the U.N., this so-called normalization has not blown out of proportion as the Trump administration tried to capitalize on it for election purposes. Here in the United Nations, it is just like, it is not an event in itself. And even those on the Arab side who are engaged in it are not doing anything to prevent it. They cannot because they are still in the camp of promoting their additional positions vis a vis the Question of Palestine at the U.N. And let me also add, just there's nothing at this moment that's going to be with us forever. Assuming, for example, after November 3, that Biden wins the election, you will see significant change of the atmosphere regarding that issue because you know as well as I do that those who move in the timing of the normalization now, it is very much connected to trying to help Trump win the election and trying to stay in the same front of opposing Iran and all of the details that are related. If, for example, Biden wins the election and he reverses course regarding the Iran nuclear deal and he starts doing the things that you know are related to the Question of Palestine, as modest as they are, but nevertheless is like, you see the correction of the direction, then I wonder for those who moved so quickly in the direction of normalization, then as we say in Palestine and common language [INDISCERNIBLE].

[00:55:00]

It will not be as intense as it was when they had Trump on the lawn at the White House and Shtayyeh and what have you. There will be a new reality to deal with in Washington, D.C., as it reflects itself in the region and through international organizations such as [INDISCERNIBLE]. So we will know. We will know in two weeks.

SAID ARIKAT: If I may, I want to conclude with one last question. You mentioned international conference and so on, but in fact, if he was to be elected, it would be opposed to such an effort, but also Biden if he's elected, would be opposed to such an effort. The United States will not look too kindly on any international effort towards resolving the Palestinian issue. So how realistic do you think such a -- such a proposition could be?

AMBASSADOR RIYAD MANSOUR: I will not speak as definitively as you are. I think that we have a tremendous amount of responsibility as Palestinian leaders and those who are active in the diplomatic field. Be as creative as possible. Try possibly to have openings or a collective approach versus only the total manipulation of the United States. I think that that requires a lot of creativity, seriousness, and cadres that are capable of undertaking such a load. And that should be a challenge facing us because it might be a unique approach. And it would be under different conditions that we should not dismiss lightly, and not to look for possibilities here and

there with Trump, I mean with Biden's administration if he wins, and some of the individuals who they allow in the cabinet and what have you. So there are possibilities. And the challenge for us, not to do the same thing that does not deliver, but to do it in a different way, to increase the chances of getting forward.

SAID ARIKAT: Thank you, Abed.

ABED AYOUB: Thank you. I know we're pushing it about an hour, so I don't want to --

AMBASSADOR RIYAD MANSOUR: I see in the chat box they're denying names.

ABED AYOUB: Yeah.

AMBASSADOR RIYAD MANSOUR: You were selected because you have a short name.

ABED AYOUB: Well, there's the chat box, there's the question and answer box. I mean, we have, I mean, dozens and dozens of questions. So we may need a second session with you, hopefully maybe after the election.

AMBASSADOR RIYAD MANSOUR: Maybe, but listen, I'm sure that you, all of you and all of American organizations are playing an active role in this very important election. Of course, for us, for me, I cannot interfere in this process. But you are, as Americans, you have the full right to be engaged in it and [INDISCERNIBLE]. This is for all groups and all ethnic groups are active in this cycle of election, and I am sure that you are playing a very active role. And we thank you for trying to be helpful in this regard. And we, by all means, we need to engage elected officials and if things could change in Washington, D.C., we would be interested in having discussions and hoping to open meaningful doors.

ABED AYOUB: Thank you. Absolutely. Thank you. Said, you want to --

SAID ARIKAT: Yeah, thank you, Dr. Mansour. I really appreciate having the opportunity to be with you once again. And any opportunity in the future, I hope we do this some more, as Abed suggested. And thank you, Abed, for inviting me to moderate this session. And it's always an honor to be with any effort organized by ADC.

ABED AYOUB: Thank you. Thank you.

AMBASSADOR RIYAD MANSOUR: If you -- if you are concluding, before you do --

ABED AYOUB: Sure. The floor is yours.

AMBASSADOR RIYAD MANSOUR: Thanks, Said. I thank you, Abed. I thank the ADC and I thank Helfik and to thank the audience for being with us and asking questions to you.

[01:00:00]

And I hope this discussion is viewed as one small step maybe in the direction of better clarity to be better prepared for what you might expect as we move forward. And we thank you for all the things that you do in advancing the cause of justice for the Palestinian people in this arena in the United States of America.

ABED AYOUB: Thank you.

SAID ARIKAT: Excellent, thank you.

ABED AYOUB: Excellent. Thank you, Dr. Mansour. We always appreciate your support and your willingness to address our community. Whenever we call you are there. So we really do appreciate that. And Said, same with you. Thank you. And for our members, thank you for tuning in. Just a reminder, visit adc.org, sign up on our mailing list. Most importantly, make sure to vote. And probably the theme you've heard over the past hour, just how important the upcoming election is and the impact it's going to have on not only our issues domestically here at home, but on foreign policy as well. So there's definitely a stake for all of us in this upcoming election. And although we can't endorse because we are nonpartisan, just take a look at the candidates, read their positions, and make an educated decision on who you want to vote for. Email ADC, legal@adc.org, if you have questions about voting, issues at the polls, if you want to volunteer at the polls, we are engaged. This is the number one item on our agenda right now, so we're doing what we can to mobilize our voters and protect our voters on election day. I do hope maybe we can touch base after the elections, depending on how things go. I'm sure we're going to have a longer conversation. We had dozens of questions. I'm sorry if we could get to them but we are on a time limit. And thank you both. I really do appreciate it and everybody tuning in and wish everybody a great week and the rest of their day. Thank you.

AMBASSADOR RIYAD MANSOUR: Thank you. Bye bye.

ABED AYOUB: Bye bye.

SAID ARIKAT: Bye.

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Daniel Boisson Project Manager

Exhibit 259

Beit Shour Convention (nov 14, 2020). Cohen & Gresser LLP June 30, 2021 Transcript by TransPerfect

TV Host1:	Thank you for the cellist Naseem Alatrash. Incredible performance. Now we move to the award part, let's discover the winner for today The winner is Nedal Al-Shoumli, he won dinnerware set and mugs from Ronny Hanouna. Congratulations He is from a Palestinian refugee family from Ramallah. He was appointed Ambassador and Permanent Observer of Palestine to the United Nations in 2005, and also a non-resident Ambassador of Palestine in Costa Rica in the Dominican Republic He participated in many international conferences and seminars as a representative of Palestine
Tv Host 2:	From a young age this Palestinian has dedicated the majority of his life representing Palestine as the ambassador of the united nations he is a strong leader that has taken roles in many different groups and organizations. It's my pleasure to welcome to you Dr Ryad Mansour.
Tv Host 1:	We welcome Mr. Riyad Mansour. Welcome to you Dr. on this special day 1:55:00
Guest:	Brothers and sisters, first of all I would like to wholeheartedly congratulate you for the creation of your association at its first conference held in Beit Sahour This significant achievement in this part of our Palestinian-American community, held now in Michigan State, is a very important step in bringing together all Palestinians from all around the world to defend their interests and rights, as well as to contribute to the struggle of the Palestinian people. In order to ensure inalienable and full national rights of the Palestinian people, including ending the Israeli occupation in 1967, attaining the independence of the State of Palestine, with East Jerusalem as its capital, on the borders of the 4th of June 1967, and ensuring full rights for the Palestinian refugees based on the United Nations resolutions. Let me also to congratulate you on behalf of the Palestinian people and their leader, Mr. Mahmoud Abbas, who has always called everyone linked with blood or identity to join, the Palestinian people wherever they exist. Because our people are present all over the globe, in the occupied land, and in the refugee camps in Syria and Lebanon. They can only achieve their goals through organization, cooperation and solidarity. This arena is like many Palestinian-American and Arab-American organizations, and I think you already know many of these organizations. As those

Beit Shour Convention (nov 14, 2020). Cohen & Gresser LLP June 30, 2021 Transcript by TransPerfect

Let me now shift to say a few words in English.

2:00:00

I know that significant portion of your communities are down. I wrote a book in the late seventies about the Palestinian American community and how it organize itself. I can say now that we have hundreds of thousands of Palestinian Americans in the united states of America, and I can say further that more than 90% have been born in the united states. The significant number within our community are teenagers or young or attending high schools or attending faculties and universities. I know that in American universities there are very active group of organizations and there is a strong activities in campuses for movements and organizations and solidary committees working for supporting justice for the Palestinians. I think that the young Palestinian Americans are exactly like anyone else like the Italian Americans, like the Latin-Americans, Like the Afro Americans like all the other you know minority groups of Americans. They are very active in so many important issues to the youth and to their community. Many of these issues is for supporting justice for the Palestinian people like being the government like being the congress in order really to take normal balance and just position to acknowledge and recognize that the Palestinian people should be granted their rights to self-determination and dependency in their own state and the right to refugees. So then, I call upon the young and woman of your community specially those how are attending universities to be given all the support they should be given and to recognize their own activism in supporting the justice of Palestinians. And we urge them to become even more active especially on light of the arrival of the new administration in Washington DC of the president elect. I think that we hope that this new administration will move into the direction of fairness and justice for the Palestinian people and not to be like the previous administration. The administration of Donald Trump was greatly siding with the Israeli side and having adopted their position only. I believe that you have the opportunity in this very important country to play a bigger role in supporting your families in Beit Sahour. Palestine are you know stand fasting in occupied land of Palestine defending our towns and cities in the occupied land in the state of Palestine. They are defending our holy places for Christians and Muslims either in Beit Lahem of Jerusalem. And you have a big responsibility that was put on your shoulders to play an active role in this endeavor. First step you have taken by organizing yourself, the second step in empowering your youth and those who are active among you with the system that you live in as Palestinian Americans. You are not foreigners in this country since you are citizens of the United States of America. And don't act like foreigners you should act like everyone in this society. Cause everyone in this society in America came from somewhere.

Beit Shour Convention (nov 14, 2020). Cohen & Gresser LLP June 30, 2021 Transcript by TransPerfect

2:05:00

Your neighbors they might be Italian Americans, Greek Americans, Irish Americans in your case you are Palestinian American. And you know that in order to be effective to the society. You are not foreigner you are exactly like anybody else. And you are so proud of the fact that your parents or your grandparents came from Palestine to remember them you know with affection. And you are committed for helping your people for justice for the Palestinian people and for the sake of Palestine. This is normal in the united states and I'm sure than you know that and I advise you to add such bases. Because if you act this way you will be extremely effective and there for very helpful to advancing the cause of the Palestinian people or justice dependent and self-determination. Again I want to congratulate you for forming your own organization. I congratulate you for completing the task your first national convention. And I want to congratulate executive committee that will be elected on the board at the end of your convention and I will be delighted you know to always communicate with your organization if there is anything that I can do or our mission to the united nations can do representing the state of Palestine at the united nations. And we will be more than happy to do so. We are all together brothers and sisters, sons and daughters of the great nation of Palestine. Thank you very much and Mabrouk for your wonderful first convention that you have held in this manner in zoom. And I hope that in the future we will convene it in a place and hundreds of us will be together and our women will be wearing our wonderful Thobs and dresses. And we can always all of us sing and do the dabka and do all things we learnt to do over hundreds of years as proud Palestinians and as proud people from Beit Sahour. Thank you very much and all the best.

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Exhibit 260

[00:00:00]

ELIZABETH HALPIN: Okay, so why don't we get started? Dean Smith are you on with us? You read to start?

COURTNEY SMITH: I am, thank you very much. Good afternoon, everyone. It's a pleasure to have you all join us this afternoon, and especially to welcome the Ambassador of the State of Palestine to the U.N. Mr. Ambassador, it's a pleasure to have you with us today and to get your perspective on a critical issue. As the students of our program know, the School of Diplomacy has a long history of engaging with the ambassadors to the U.N. to hear about critical issue and complex issues, and one of those issues is certainly the question for peace in the Middle East. It's been an issue on the international agenda for seven decades. A lot, but not all of that conversation, has happened through different bodies and initiatives of the United Nations, so it makes very good sense to have the ambassador at the U.N. to speak about the issues with us. The key thing is that a lot of the parameters of peace and what might be possible in the Middle East are the result of U.N. efforts, and so it'll be important to talk about what's been done so far and what the opportunities are going forward. This is certainly a complex issue. There's many perspectives on it. And it's important that students of diplomacy and international relations, that we learn from all of these perspectives so that we as we embark on our future careers can work together to find solutions for these problems and to build peace that benefits all of us. And this issue is one that's currently in the news very much today. Those of you that were following the news today know that the U.S. Secretary of State, Mike Pompeo, was on a final visit to the -- to the region before the Presidential transition in the United States, and his visit has again sparked some areas of support and some areas of concern given his agenda for today. So it's very much a timely conversation that we're having. I should also just let the members of the audience know that we plan to have future events talking about the peace in the Middle East to get additional perspectives. Some of those will be early in the spring semester, so please be on the lookout for that. And I'm confident that some of our students who are joining us this afternoon are members of various student organizations on campus and we look forward to partnering with you to present additional perspectives on this issue. Because partnering with students is absolutely key for the success of our events, and I need to highlight two students in particular. The first is [PH] Mohaned Al-Sait, who is a student at the School of Diplomacy, and it was Mohaned that came up with the idea of inviting the Ambassador today, and formed all the connections with the mission, the Permanent Observer Mission. And so thank you, Mohaned, for making this learning opportunity possible not only for you but also for all of your fellow students. And guiding us through the conversation is going to be another one of our students, [PH] Harshana Geru, who will be introducing the Ambassador, and then later on in the conversation, or later on in the event, helping to moderate the conversation that follows. Just so the participants know, you are welcome to ask the Ambassador about any topic that you would like. If you'd like to ask a question we ask that you use the chat feature and type your question into the chat so that that way, Harshana will know to call on you. Because we have a lot of attendees and only a limited amount of time to cover a complex issue, we do ask that you keep your question succinct so that way we can get as broad a conversation as possible and allow the Ambassador to cover as many issues as we possibly can. So with that in mind, I'm going to go ahead and invite Harshana to

provide a formal introduction of the Ambassador. And thank you all again for attending today's event. Harshana?

HARSHANA GERU: Thank you so much, Dean Smith, for such a wonderful introduction to today's event. Hello, everyone. My name is Harshana Geru. I am a junior here at the School of Diplomacy. I study international relations, modern languages, and philosophy. I am here to see you today and be able to introduce Ambassador Mansour. I am particularly excited about this event because I'm actually a research assistant of the Diplomacy Lab.

[00:05:00]

And one of the main research projects that Professor Huddleston is working on right now looks at the determination movement, separatist groups, and de facto state sand their use of diplomacy. So I am very much looking forward to this discussion on the Middle East peace plan. And it is my honor today to introduce Ambassador Riyad Mansour, who is the Palestinian representative to the United Nations. Ambassador Mansour has been involved in Palestinian politics since his youth. And he began his career in diplomatic service at the Permanent Observer Mission of the Palestine Liberation Organization, also known as the PLO to the United Nations, in 1983. He was appointed Ambassador and Permanent Observer of Palestine to the U.N. in 2005. Ambassador Mansour is also a non-Resident Ambassador of the State of Palestine to Costa Rica and the Dominican Republic. So prior to joining the PLO, Ambassador Mansour began his professional career as a research assistant at Youngstown State University in Ohio in 1972. From 1977 to 1983, he joined the Permanent Mission of the People's Democratic Republic of Yemen to the United Nations in New York as a research advisor. In 1983, he joined the Permanent Observer Mission of the PLO to the U.N. as a Deputy Permanent Observer of the U.N. Headquarters in New York. Ambassador Mansour started his college education here in the United States. In 1973, he obtained his Master of Science in Education Counseling from Youngstown State University in Ohio. In 1977, he received his Ph.D. in counseling with an emphasis on research methodologies. Dr. Mansour lectured in many American universities and has represented Palestine at numerous conferences and seminars. He is also a member of senior officials committees of the State of Palestine and the PLO. Please join me in welcoming Ambassador Mansour, who is going to speak on the Middle East peace plan and other pressing issues related to Palestine. Ambassador Mansour, welcome.

AMBASSADOR RIYAD MANSOUR: Thank you very much for this introduction. And also I want to thank the dean and the other professor who had also introduced me, and to thank your fabulous institution, Seton Hall University, for giving me this opportunity and inviting me to be with you today. I am intrigued by the fact that you are doing some research in self-determination in the School of Diplomacy, and it happened that today, the Third Committee of the General Assembly voted on granting the right of the Palestinians to exercise their right to self-determination by an overwhelming majority. In fact, I think 163 countries voted yes. Only six countries voted no against this resolution before it moves to the General Assembly. I think we will see submission of positive votes. And also I am, I have some connection to your school because one of my colleagues who was a student in your school and became an intern with us for a while and part of our team, I believe maybe he graduated from the School of Diplomacy at

Seton Hall, is now a member of the staff of the United Nations. And another friend of mine who used to be a Special Representative to the Quartets that deals with issues related to peace in Israel and Palestine, [PH] Mr. Robert Seddy, was a visiting professor in your school and we wrote a book after he finished his tenure. And he is a close friend of mine and he had spent one year at Seton Hall. Now having said all that, let me just say that not only we are [INDISCERNIBLE] having peace, our neighbors particularly, the state of Israel, which it occupies the land of the state of Palestine, but we are working tirelessly for accomplishing that effort. And in that connection, we are a part of a global consensus that you see was in the United Nations by the overwhelming majority of a number of states.

[00:10:00]

That calls basically for end of the Israel occupation that took place in 1967 that would allow for the independence of the state of Palestine, East Jerusalem as its capital, and to resolve all outstanding issues, important and status issues, some people refer to them, including the question of the Palestine refugees on the basis of international law and relevant [INDISCERNIBLE]. There is global consensus on how on this solution, and we are part of it. Fortunately, Israeli Occupying Authority is not part of this consensus of the U.N., and from our side, the fact that we are accepting to establish the state of Palestine or require the independence of the state of Palestine, 22 percent think Palestine or a British-mandated Palestine, should be looked at as a remarkable flexibility and realism by the Palestinian people and their leadership. We have made historic compromise. We do not see a reciprocation from the others. The international community took upon itself when England decided to end the mandate of Palestine in 1947. Instead of England giving us independence and to engage in building the institutions of our state, to include all components of the people who lived as Palestinians up to 1947, and by that I mean the majority of the Palestinian Arabs and the minority of the Jewish Palestinians, to build together our own state after the end of the mandate of the United Kingdom, the United Kingdom decided to throw the question back in the lab of the United Nations. And United Nations took upon itself not to give us independence then, but to propose ideas and to get involved in the Palestine Question, and decided to partition Palestine. And since the U.N. took upon itself to be involved in our question, we now say that the resolution 189181 was nice because it allowed for the creation of Israel and all resolutions of the United Nations are not nice because they propose other ideas that [INDISCERNIBLE] justice for the Palestinian people. It doesn't work that way. You belong to this organization, you honor and respect this charter and its resolutions, and you honor and respect international law. Therefore, if you were delighted about what the U.N. did for you, you should accept what the U.N. is trying to at least exercise by allowing the Palestinian people to exercise their right to self-determination, including the right of the independence of the state. And we accept it, as I said, that our state to be established from the borders of the 1967. And that is reflected in many resolutions of the United Nations, including the master resolution adopted by the Security Council before the departure of the President Barack Obama's administration in the year 2016, in which it stated in that resolution that no changes of the border between Israel and the Occupied Territory, which is the [INDISCERNIBLE] of 1967, will be recognized unless the two parties through negotiation, agree to any modification and adjustment to these lines.

[00:15:00]

In addition to that, international law, including international humanitarian law, including the Geneva Convention, and the statute of the -- the state of the ICC, all of them indicate that settlements and transferring civilian population of the Occupied Territory to the occupied land is illegal and in fact, according to the ICC, it is a war crime. Now, we want to move in the direction of peace. International law is on our side, is on the side of justice. Relevant to our resolutions, so many of them, including 181 of 1947, are crystal clear in advocating a two-state solution. In 181, it was approximately half and half who accepted even that our half be dissected for another half, 22 percent, composing the West Bank, including East Jerusalem and the Gaza Strip, is basically the area of the land of the state of Palestine which is acceptable to us. Is there anything wrong with the picture, or I'm okay?

HARSHANA GERU: No, you're fine.

AMBASSADOR RIYAD MANSOUR: Okay, because there is something that I see on my screen. So as I was saying, we are ready and willing to accept this kind of resolution. There was a deviation from this global consensus for three, for almost, for three years, since December 2017, when the administration of President Trump wanted to replace the global consensus, international law, and U.N. resolutions by the vision of President Trump, and it did not receive support from 14 members of the Security Council and the overwhelming majority of the United Nations. Now with change as of January 20 of next year, of the administration, we hope that the President-Elect Biden and his team, that not only will do the necessary correction, and not necessarily to go back to the position of U.S. administration as it used to be in the past, up to December 2017, but hopefully even to move further in the direction of ending this occupation, allowing our state to be independent, and therefore to live the reality of a two-state solution where we can put our energies and efforts both sides, and rebuilding, development, innovation, creativity where we can, and to move away from options of the continuation of the conflict and confrontation and therefore to be able to have a better future for our children and their children and to concentrate our efforts on so many great things that we can do. That will be to the benefit of all our people and Israeli people and entire Middle East. Let me also say that the visit from Secretary of State Pompeo, in which he was the first U.S. Secretary of State to visit a settlement. He visited the settlement I believe yesterday, and that is sending a very wrong sign, which to continue deviating from traditional U.S. policy that settlements are illegitimate, illegal, and main obstacle to peace, and United States was not object the adoption of resolution in 2016 which characterized settlement as illegal and asking Israel to stop such settlement activities as being major obstacles to peace.

[00:20:00]

So that this last minute additional negative step and encouraging the Israeli Occupying Authority to continue on the path of denying different components, aspects of rights of the Palestinians, does not serve peace, but it serves the perpetuation of this conflict. Palestinian people will not vanish. We've been in that land since the beginning of history. We are Canaanite. Many things happened in our land. Many thoughts and ideas came. Some of them influenced the population.

Some changed things, including religions. But we are the people who stayed through all these things all the time, including for the last 2,000 years, and we cannot be treated as if we are alien to this land and this land stayed in frozen stage for the last 2,000 years, until some people came back to it, acknowledged that they are of the faith of Judaism. The majority of them at the beginning from Europe, specifically from Eastern Europe, and widely accepting for them to be recognized right of the state of Israel to exist, they cannot say that we do not have the right to exist and we are aliens and the only people that have the right to exercise the self-determinations are only the Jews in the land of Israel. That is not serving peace. That is perpetuating the conflict. We are extending our hand. Live and let others live. But we will never accept the negated conflict, because we are resilient people. We are fair. We are creative. We are millions in number. In fact, there are a number of Palestinians in the Occupied Territory and in Israel and in [INDISCERNIBLE] are more than 13 million strong, and in that connection we are, in historic Palestine, our number is equal, perhaps a little bit more than the number of the Jews in Israel, and globally speaking our numbers about equal Turkey, and we are not a mirage. We exist, and in fact in the Middle East we are, if not number one, among the top two or three countries with people that are extremely educated, so many different college degrees in all subjects. We are very important labor force and scientific force for many countries in the region, in which many countries that they built their states, their modern states, through the participation of hundreds of thousands of Palestinians. So we do exist and we are determined to exercise our right to selfdetermination and have independence for us. We sincerely hope that as January, we will have a different climate in Washington D.C. That's why our President proposed to the Security Council and to the General Assembly in September of this year, he asked the Secretary General of the United Nations to begin the process of collaboration and consultation with the members of the Quartet, United States, Russia, U.N., European Union, and members of Security Council, and all concerned parties to begin the practical processes, and on the basis of international law and the global consensus, to convene international conference that will open meaningful doors to ending the occupation and to actualizing the vision of the two-state solution from the borders of the 1967 and make it a reality. And we sincerely hope and we worked very hard with all those who are willing to work with us to repair international [INDISCERNIBLE] to see in the year 2021, the beginning of practical steps in that direction.

[00:25:00]

I'll stop here and if you have comments and questions, I will be delighted to respond to them. Thank you.

HARSHANA GERU: Thank you so much, Ambassador, for this wonderful speech. We will now take questions. So if you want to go ahead and raise your hand using the raise your hand button, which is at the top of your screen, and then I will call upon you to ask a question, or if you want to write out the question in the chat box, which is also found at the top of your screen, and I read out the question for you. So let's start taking some questions for the Ambassador. Okay, we have a question from [PH] Akfur. Please go ahead, unmute yourself.

AKFUR: Good evening, Ambassador. Thanks so much for joining us.

AMBASSADOR RIYAD MANSOUR: You're welcome.

AKFUR: My question is regarding the new administration of Joe Biden and Kamala Harris. From what we know so far, Joe Biden said he's not going to revoke Trump administration's decision to recognize Jerusalem as the capital of Israel and the only thing that he said that the U.S. will sort of take back is acknowledgement the settlements of Israeli people in the West Bank as illegal under national law. What makes you think, or do you believe, that the Joe Biden administration will be any different than the previous administration, including not only Trump administration, but also Barack Obama and Bush administrations?

AMBASSADOR RIYAD MANSOUR: Well, I believe that President-Elect Biden and Vice President-Elect said more than what you said, said many other things, including reopening a U.S. Consulate in East Jerusalem that will not be part of the Embassy in Israel, working back the administrative department. They also talked about other issues related to [INDISCERNIBLE] and systems and help with the Palestinian National Authority, and also they indicated a position against annexation because it's [INDISCERNIBLE] settlement, as you have indicated, and reopening the Office of [INDISCERNIBLE] and a host of other things. But with regard to the recognition of Jerusalem as the capital of the state of Israel, and moving the embassy from Tel Aviv to there, it has been the established U.S. policy since 1948 just to let Jerusalem be aside, not be part of either state, according to the partition plan. And that worked for a while until the [INDISCERNIBLE] see how the issue in Jerusalem is settled. And that remained to be policy of the United States of America all the way through until December 2017 during the time of President Trump. Of course, this is one of the issues that we discuss heavily with U.N. administration, along with many other issues. Once they are fully put in place to be running the country as the government of the United States of America, so, but we are hopeful that tings will move in a relatively positive direction. We are not expecting huge things to happen, although it would be great if that was the case, but we will be ready and willing to engage them in a very serious and detailed way, ready to move in the direction, putting an end to this tragedy that's lasted for way too long for the Palestinian people, more than 100 years since their separation.

[00:30:00]

And more than 70-some years since partition plan of 1947 and the macabre of the Palestinian people. And more than 50-some years since the occupation that took place in 1967. We believe that enough is enough and the United States can play a relevant role along with international community to convince Israel and the government of the occupying authority to change its policies and practices and to become realistic if they are interested in peace, and move in the direction of peace, and to pay the price required for peace as we have done when we accepted that Israel is to be established in 78 percent of historic Palestine. So we are hopeful and we are ready and willing, and we'll see how things will unfold.

HARSHANA GERU: All right, thank you for your question, Akfir. And we have another question from Esther. Please go ahead and unmute yourself.

ESTHER: Hi, my name is Esther. Thank you for coming. Can you hear me?

AMBASSADOR RIYAD MANSOUR: Yes.

ESTHER: Okay. So first I just wanted to address something you said. The majority of the Jews in Israel, more than 50 percent, are actually from the Middle East and North African areas, like Morocco and Ethiopia, around, so on, and my question is if Israel was to end the illegal settlements and occupations and we were able to move forward toward a more peaceful resolution, do you think that there is a possibility that both Israel and Palestine would be able to have their capitals in Jerusalem simultaneously?

AMBASSADOR RIYAD MANSOUR: I think yes, because according to international law, Security Council, resolutions are [INDISCERNIBLE], and here I'm referring to Resolution [INDISCERNIBLE]. It indicated that all the areas that were occupied in the what would be East [INDISCERNIBLE] and East Jerusalem are occupied territories. So for us to exercise the right to self-determination, including through the independence of our state, we are already declaring that East Jerusalem will be the capital of the state of Palestine. And then it goes without saying that West Jerusalem, the capital of the other side. So yes, I think that we could have the capital of the two states, one is in the eastern part of Jerusalem, which was occupied in 1967, and the other side on the other side, although as I said, the position of the international community, including the holy seat, that Jerusalem has to be dealt with in such a way that humanity and entire international community will accept it and people of faith will accept it, including the ore than 2 million Christians who have a lot at stake when it comes to the issue of Jerusalem. And now with regard to the majority of Jews in Israel, while this is the reality that became, as you described it, after Israel was established, Jews in Morocco and in Iraq did not think of the idea of the Zionists and creating national homeland for Palestine. That was a European idea and it was facilitated through the collaboration of British colonialism through the Balfour Declaration. And even before the Balfour Declaration, the Zionist movement has all of its conferences at its infancies in Europe, and they were thinking of establishing a national home for the Jews anyway, because if you know, since you are students of diplomacy, that during the last 200 years, there was an emergence with industrial revolutions called nationalism. And this idea of nationalism was very strong in many countries, particularly countries like Germany.

[00:35:00]

And when you throw racism and anti-Semitism in Europe, they wanted to build a national state but they did not want to include European Jews in them. Then Jewish European thinkers established the Zionist movement to establish their own national state. And if you read many of the documents in the early stages of the Zionist convention conferences, they were ready and willing to establish their own state anywhere, whether in Latin America or Africa or other parts, until the arrival of the Balfour Declaration and the occupation of the United Kingdom of Palestine as a result of the end of World War I. Then the Balfour Declaration specified, well, this national state will be created in the homeland in Palestine, and the British colonial power helped tremendously the migration of Jews from Europe to Palestine. What's ironic here is the double whammies that European Jews went through. One is the anti-Semitism and the Holocaust in one hand. And even after that, mean, racist European thinkers did not want to keep

the Jews who survived the Holocaust. They wanted to get rid of them from Europe, and European Palestine was the place to send them. Of course, it was a double whammy for the Jews and it was macabre for us. And the colonial powers played a big role in it. And the colonial powers also were controlling the countries from Iraq to Morocco under the British colonial power or the French colonial power, and they played their role to facilitate departure of Jews from these countries to Israel, and they filled them with negative feelings against the Arabs, and then they were used among others in that they did continuous conflict and fighting and wars between the Israelis on one side, Arabs including Palestinians on the other side. But that is the history. And if we want to look past, if one wants to look at the past, then the [INDISCERNIBLE 00:38:02] in the past opinion in the past, but we have to look at the present and the future. We need to put an end to this tragedy and to create an atmosphere of positive thinking for all the Palestinians to exercise self-determination and the independence of their own state. And it will begin the process of not being hostile to each other because we were never hostile to each other. Read, for example, a book of Professor Rashid Cosby about Palestinian nationalism. He will describe to you details that at the beginning waves of European Jewish settlers who came from Europe to Palestine around World War I, how in a positive way they were received by the Palestinian people, and then antagonism started to emerge when they started arming themselves, building militias, insisting on segregation, and to build different union for them and not to be integrated with the local population that the atmosphere sucked in. I think it is, and you are students who are college, I assume, diplomacy and such books from telling the narrative and the story of the Palestinian people who [INDISCERNIBLE] and also his latest book as well is a very important book to be studied by college students so that you can see the issue from so many different angles as your dean has indicated.

[00:40:00]

HARSHANA GERU: All right. Thank you so much, Ambassador, for your response. I just want to point out that in case you have any follow up question or comment on the Ambassador's answers, please write it out in the text or raise your hand again and I will call you out. So our next question is from [PH] Zara. Zara, please go ahead and unmute yourself.

ZARA: Thank you very much. So now, Ambassador Mansour, first of all, thank you so much for taking the time to speak to us today.

AMBASSADOR RIYAD MANSOUR: You're welcome.

ZARA: So Ambassador Mansour, my question is in regards to establishing this independence that you continuously speak about, and that we are all very aware of the importance of this -- of this goal. However, my question is aiming to look at this more from an economic perspective. So I was thinking about how can Palestine possibly establish this independence economically? Because if we are to look at some numbers, according to some 2018 studies, it looks like 58 percent of the imports from Israel are coming into Palestine and 80 percent of Palestinian exports are to Israel. So you can observe that there's a heavy reliance in economics on Israel. So in order to establish that independence, wouldn't Palestine need some kind of a plan that could possibly take it out of this reliance and assist it in establishing this independence that it's looking

for? Or do we feel like we need to approach this more from a social political aspect and eventually take it into economics? I just wanted to see your input on it.

AMBASSADOR RIYAD MANSOUR: And that's a very good observation and question. If we want to find an economic solution to this situation under occupation, one cannot find it because under occupation, the occupying power, which is Israel, is controlling our national resources. In fact, yesterday, the Second Committee, is the economic committee resumed on Sunday, voted overwhelmingly in reaffirming the right of the Palestinian people to exercise their sovereign right to own their natural resources. It's not the occupying authority. So as long as occupation is there, this reality will continue to be tilted in favor of the occupier, and poverty will be among the Palestinians and prosperity would be much more on the side of [INDISCERNIBLE]. And then there has been many studies that indicated that the Israeli occupying authorities are stealing from the Palestinian economy on the average of \$10 million annually. And we believe if we become independent and the occupation is no more and we are in control of our natural resources and control of our banking systems and our ports and airports and our borders, we will be able to improve our economy substantially and we will be in such a situation that perhaps any foreign assistance to the state of Palestine. This is another incentive for us to end the occupation and acquire independence. And we have the manpower among the Palestinians is among the top in the Middle East, and if there are no restrictions as the restrictions are imposed on us by occupation, there will not be limits on what we can do in terms of production of things, agricultural productions supporting the Arab countries and to Europe and to other countries and creating opportunities for well paying jobs. I think that we will not be like some of the traditional countries that acquire independence from colonialism but they inherited a devastated economy and it is taking them a long time to rebuild.

[00:45:00]

I think in the case of the state of Palestine, our examples would be similar to some of the examples that we can see all over the globe, success stories of economies. But we need to end the occupation. We need to be in control of all of our resources and then you will see where the Palestinian people will go and there will be a very thriving economy in Palestine and we will be able to help others and to help our people first and increase the income, the per capita income significantly within a short period of time.

HARSHANA GERU: All right. Thank you, Ambassador. We have another question in the chat, so I will read it out to you. Our question is from [PH] Rebecca, and she asks, so, Ambassador Mansour, I apologize if I heard you incorrectly. You comment saying that both sides of this conflict should be civil with each other and that we even have history of getting along. What is your response to students who are members of Students for Justice in Palestine at universities across the country verbally attacking Jewish students and Jewish student groups, both in person and on social media platforms? How do we avoid anti-Semitism and move towards open, friendly, and healthy dialogue?

AMBASSADOR RIYAD MANSOUR: Well, I cannot get involved in how student organizations react to each other. I once upon a time, I used to be a student and the student

groups, they are capable of reacting and acting versus others in so many different ways. I'm very familiar with that. So therefore, I cannot tell you how student organizations should behave. But anti-Semitism, it cannot be applicable to, for example, the Palestinians. This is a problem that was created in Europe. Europeans created Semitism. It was never created even by the admissions of Jews and Israelis that the Palestinians, the Jews and Palestinians lived together before 1948 in relative harmony. And but to look at what is really happening, Palestinians are members of the state of Israel. After 70-some years of the creation of the state of Israel, the Israeli [INDISCERNIBLE] will adopt a law saying [INDISCERNIBLE] Jews wouldn't be allowed to exercise self-determination in Israel. What about the 25 percent who are not Jews in Israel? They will be deprived of that right? How about the Palestinians who lived for thousands of years who are now citizens of the state of Israel? Isn't that a much more [INDISCERNIBLE] of discrimination against them than anything else? I know that in Europe, anti-Semitism was very, it was created. In fact, sometimes I meet with European Parliamentarians, they come and meet with me, before the COVID-19, and they ask me, what about anti-Semitism or Semitism? I say to them, what about it? You created it. Go and clean your house. We have nothing to do with it. This is a European phenomena, was created in Europe against Jews who were in Europe, particularly in Eastern Europe and in Germany and Russia. You know that when Jews were [INDISCERNIBLE] in the manner that we all know, Spain against, by Christians in Spain, they were against and the Muslims. Where did the Jews go? They went to Morocco where they were received and accepted and lived for a long period of time until a large number of them came to Israel so that the notion of anyone who disagreed with Israel or who criticizes Israel is anti-Semite, I think that this is blackmail.

[00:50:00]

This is [INDISCERNIBLE] and it does not serve [INDISCERNIBLE] discussions. We know the source of anti-Semitism. You go, you know, you're college students. What happened in Charlottesville, on the campus of University of Virginia? These white supremacists are, they were saying, we will not allow, they were chanting chants against the Jews at that university. They were not Arab students or Palestinian American students or their friends or their supporters. They are racist anti-Semite, a product of extremism as we know it among white supremacists in this country. So I think that we need to look at things in its main source, not to be distracted into trying to label each other here under student groups in such a wrong way. I think they should be united, fighting for liberties and freedoms and taking a stand against discrimination and against powerful oppressions by groups that are causing these things, divisions, of all societies, including where you live, here in the United States of America.

HARSHANA GERU: I definitely agree with you on that one, Ambassador. So our next question is from Timothy. Please go ahead and unmute yourself. Let's see if I can --

TIMOTHY: Can you hear me now?

HARSHANA GERU: Yes, you're good.

TIMOTHY: All right. All right. Thank you so much, Ambassador. I just have two things to give you questions from. I guess I wish to get your take on the recent agreements that some Arabic nations have signed with Israel, whether that is going to affect terms of the Palestinian cause, and secondly, the two-state solution is always the ideal and is what has been called for for a long time. What is the best alternative that is there, if any, from the two-state solution?

AMBASSADOR RIYAD MANSOUR: Thank you for the question. I think that you are alluding in the second question about the possibility of the one-state solution. You put it mildly, and you are a student of the College of Diplomacy. I congratulate you for this cleverness. But the reality today, because of the extreme settlement communities and the extreme rightist government in Israel is a one-state reality -- one-state reality is apartheid, which means that the minority will have all the rights and suppress majority. We don't believe that that would be a working solution, and we are very communal with many Jews in all corners of the globe, including in the United States of America, that they, who used to be part of the civil rights movement at the -- at the time of the civil rights movement. I don't believe that they would support apartheid in historic Palestine. And if it will create a massive problem to the conscious of so many Jews who are working for justice it opposes. So I think that the one-state solution has de facto accepting the one-state reality, I think it will take us into the direction of South Africa. We know the reality of what happened in the past [INDISCERNIBLE]. But of course, there would be tremendous suffering if we prolong this conflict for that long period of time. I think that the best solution, although it is difficult and it seems complicated now because of the settlement organization enterprise and the large number of settlers, more than 700,000 through East Jerusalem, it appears that it convinced some that the two-state solution is not possible.

[00:55:00]

I think that it is the only realistic and possible solution. We need to separate. And once we separate and we accept each other as equal, our own independent states, then perhaps we will go through a period of time not concentrating on the hostilities but concentrating on the positive things and the operation. And who knows what will happen in the future? We might select, based on free will, to possibly even merge together. Let's look at the experience of France and Germany during the last 100 years. World War I and World War II, France and Germany, they killed from each other more than all those who were killed in the history of humanity in wars. But yet, there are the two pillars that will [INDISCERNIBLE], which is an experiment that is developed in terms of integration and unification of European countries and collaboration of many fields, including the economic field and the political field, and the two of them came to the realization that they could not continue to be fixated on the millions that they killed from each other during these two wars. And they're forward looking, present looking, of how much they can do in order to improve the quality of life for the French, Germans, Europeans, and the entire Europe, and also many countries that receive help from them, especially in the south, countries of the south. So if it was done by the Germans and the French during the course of the last 100 years as two independent states, who knows? If we have two separate, independent states, regardless of the size of the geography of each one of them, and here I'm referring to the state of Palestine and the state of Israel, it is conceivable that we could do many wonderful things. After all, the partition plan was a plan to address what was characterized by member states at the U.N.

in 1947, is to address the conflict that existed between the communities as they articulated, and they said the partition would be a temporary partition until the conditions that led to the conflict to the evaporate. And they added economic union between the two states. So if the founding fathers of the less of the United Nations, they had that vision, how to address that conflict, then they can build on that by allowing for the separation and the other states to come into independence and not to be fixated on abstract arguments that the Palestinians did not accept 1947 and '48 to establish their own state, and therefore now you miss that opportunity. That kind of abstract discussion is not interested in peace and justice and healing and moving forward, but it is interested in perpetuating the conflict. I just said that we transformed ourselves, our leadership, into accepting reality and into accepting to establish our state, and 22 percent of historic Palestine. But once we do that and we have the two states living next to each other in peace and harmony and concentrating on positive things and not negative things, then it is very conceivable that we could, if we select really one selection by the two peoples through whatever mechanisms they agree to, in the future to have more collaborations and integration and to learn from the experience of Germany and France, then we could go that far.

[01:00:00]

But this is maybe for you, the younger generations, maybe see the fruit of that once we just conclude the first hurdle, which is to end the occupation and allow for the independence of Palestine. Then you are the ones, the Palestinian youth and Israeli youth, are the ones that perhaps see the benefits of collaboration and working together and building bridges and learning from each other, and the limit will be the sky. And I forgot the first question because I started with the second one. Can you just give me a hint about what the first question was?

TIMOTHY: The first question was to do with the recent agreements that Israel has signed with, yes, with some party--

AMBASSADOR RIYAD MANSOUR: First of all, some Arab countries, they were, without declaring that they were having a form of normalization. But the question might be, why did they do that just a few months before the American election? And it seems that some of these states, through pressure from the Trump Administration, and through lack of progress on trying to drag the Palestinians to negotiate on the basis of President Trump's vision, which is in complete contradiction with global consensus, then they created this situation in which a number of Arab countries did what they did, thinking, especially the President Trump administration and the key players on this file, that would help President Trump to win the election, because they are fixated on issues related to Trump. But, you see, some of these countries, they've never had conflict with Israel. Because when you have peace treaties, it's between countries that were in war or in conflict. So, but regardless of all of that, the key issue is the Palestinians. If there is no peace between the state of Palestine and the state of Israel, then no matter what you do outside the pots, then it is, I don't want to say distraction, but it is not the major issue. Nobody can stop any government or a state from establishing relations with another state. That is a sovereign right of states. But on us we say that when we belong to regional organizations and we agree collectively on certain positions and policies such as the Arab peace initiative, then it goes without saying that we should honor it and respect it. But if some people justify under the

banner of sovereign right to do whatever they want, to move in that direction, then that is their decision. They have to live with that decision that they make. But again, I can tell you, the central question in the Middle East is the Palestine Question. Israel can have a relationship with as many countries as they can as long as they do not leave with the Palestinian people and find a just solution to the Palestine Question. They haven't done much because if you open your door, if you live in a settlement, legal settlement, and when you open your window or your door—your door, you see the Palestinians in your place, they will not leave, and they are increasing the land. And if you continue to suppress this [INDISCERNIBLE] land, but to deny them their rights, you are asking for trouble. But if you want peace, then you have to find ways in order to reach agreements, to compromise accommodation, and to allow for the actualization and aiding of the national rights of the Palestinians. You cannot have peace with the Palestinians when you deny their rights and you imprison their children and their women and men have thousands of them.

[01:05:00]

In fact, in every Palestinian abode, there is one out of four that was in prison by Israel. Close to 1 million of us have been incarcerated in Israeli occupation prisons. Such massive oppression and stealing the land, illegal settlements, denying of rights, stealing natural resources, punishing homes. These are not ingredients for peace. You can blame the Palestinians as much as you like, but no one can win the argument that oppressors, occupier, colonialists, have always blamed the victims. And all of them boast that argument at the end of the day. You cannot win the argument that the Palestinians are evil, although we are not a group of angels. We are human beings, but we have rights and we are struggling for these rights, and until these rights are addressed and honored to the satisfaction of the Palestinian people, those who are denying them their rights are responsible for the continuing of this tragedy and conflict.

HARSHANA GERU: All right. Thank you so much, Ambassador, for your response. We have another question from [PH] Nora. Nora, please go ahead and unmute yourself. We still cannot hear you.

NORA: Oh, I'm sorry, can you hear me now?

HARSHANA GERU: Yes.

NORA: Hello, Ambassador Mansour. Thank you so much for coming to speak with us today. My question is, what role do you see the U.S. playing on this after Trump? Because how can Palestine trust the U.S. anymore when every presidency has only concerned itself with Israeli national security and hardly has ever given a serious word on Palestinian rights to self-determination?

AMBASSADOR RIYAD MANSOUR: I hear you, Nora. I know that we've suffered a lot and they've promised many times many things and never did any of it. Yet, we have hope, but we have to be cautious. And I believe it is in the interest, not only of the Palestinian people and Israelis but I think it's in the interest of the United States. To be more fair, more balanced, and

really genuinely to go with overwhelming majority of international [INDISCERNIBLE] in the end, implementing a global consensus is the issue. We all know what peace looks like. And the occupation that started in '67, two states living side by side in peace and harmony, addressing all final status issues, including the refugees, from the base of international [INDISCERNIBLE], fairness and justice and resolutions. What we need is not to keep dancing around the issues and managing the conflict. We need now to begin a process of solving the conflict from the basis that I have indicated, in which there is global consensus, including when President-Elect Biden was Vice President during the administration of President Barack Obama, he knows this issue well over eight years. He knows the details, he knows what is just, and we sincerely hope, and we will work, not only hope, in such a way that maybe this time not to try to reinvent the wheel, but this time let the wheel start rolling and to address the issue of justice and fairness to the Palestinian people, which as I -- as I have indicated, we are not asking for the moon. In fact, some groups within our people and movement, they think that we've compromised more than enough, so we have our own internal pressures, but we need to give our people hope. We need to give the people in Gaza not to live in their manmade huge prison, 2 million of them denied so many things. We need freedom, we need unity, we need the end of occupation. So we sincerely hope that this administration, which has so many problems and issues, we admit, but nevertheless, this issue is important.

[01:10:00]

And what could be helpful that more than 3/4 of American Jews are supportive to these ideas, supportive to the two-state solution, supportive to the end of occupation. They are not sympathetic to this illegal colonization enterprise of settlements. So then they can also play a very positive role. About 75 percent of them voted for President-Elect Trump. They were not enthusiastic about the behavior of Prime Minister Netanyahu over the years, including during the time of President Barack Obama. And so there are many elements that we hope that we will not be betrayed once again, and we will work so hard in order not to allow potential opportunities that we hope will present themselves to be exploited fully, because we are sick and tired of the [INDISCERNIBLE] occupation. We deserve to be free, our own state. And I believe that the American people, and hopefully the new administration, will be cognizant of this fact and will act and behave in such a way that will help us to accomplish the objective in the occupation and join them in [INDISCERNIBLE] Palestine with East Jerusalem as its capital.

HARSHANA GERU: I think we've had some very interesting and very diverse questions, but we have a very interesting question from [PH] Catherine who talks about, who is asking about current collaborative efforts between Palestine and Israel. So she's asking, could you speak to some agreed upon progress and collaboration between the two states that have happened recently or in the past? She says she would love to hear more of the hope that Palestine and Israel can move forward together peacefully, and what are some examples of progress towards that peace?

AMBASSADOR RIYAD MANSOUR: We see that when you live under occupation, you are forced to have relations with authorities of the occupation power. You are not living in a vacuum. They are in your face. They are the soldiers. You go up to the checkpoints, you see them. You go to the borders crossing, you see them. So you have to have some regulations of

life I think to have some meaning of occupying authority. That doesn't mean that we want to live under occupation. We want [INDISCERNIBLE]. And I believe the most positive that the Israelis can give us is their readiness and willingness in the process of negotiation. But to try to keep looking for ways. Let occupation stay forever. It is illegal. And we cannot be part to that. Occupation is something that is awful. You are clever students. You read so many experiences. You cannot justify in any form or shape that somebody is oppressing a whole nation. So we need to put an end to this tragedy. And let's not focus a lot on some practical steps that you are forced to take between you and your occupier. If you are in jail, you have to receive food in prison from your, the one who put you in prison. You have to ask him for permission to go and to take a shower. And you are forced to have some relationship with them while you are in incarceration, and you would be looking forward to the day to be free and to leave that place and to live like other normal beings. So this is our situation. We want to live in freedom. We don't want to live under the regulation of an occupying power which can tell us, you are nice if you listen to me and you don't do anything, and you are not nice if you say, I want to end the occupation.

[01:15:00]

That situation is not sustainable. It has to end. And I'm not lecturing anything to you. When the 13 colonies decided to be free from the British colonialism, they did the American Revolution. When all the African countries were living under colonial powers, they were struggling to put an end to occupation, and they acquired independence. And when we were living under the British colonial power, we were resisting until 1947 when the reality moved to the U.N. and the partition plan came and what happened, we all know what happened. The state of Israel came into being, macabre for hundreds of thousands of Palestinians was a reality. So we want to put an end to this continuous tragedy, meaning to end the occupation and to be independent and to live in freedom and liberty in our own state run by us, not run by an occupying authority. So these are the kind of things that we should focus on, not a small step here or there, that they took the taxes that they collect on our behalf and now they're [INDISCERNIBLE] with them what belongs to us. To us, these are small details in the scheme of things, and these are things that do happen between the occupying authority and the [INDISCERNIBLE].

HARSHANA GERU: All right. Thank you. We have another question from [PH] Sarah. I will read it out to you. Thank you, Ambassador Mansour. There have been many negotiations for a two-state solution over the years that have been rejected by the State of Palestine. With the possibility of new negotiations in the horizon, what would make the difference that would allow for a satisfactory agreement for both Israel and Palestine?

AMBASSADOR RIYAD MANSOUR: There were no offers through all the previous negotiations for independence of the State of Palestine. All the negotiations in the past were over percentages of land swap, for example. No negotiation in Jerusalem. Some negotiation on the refugees. And even agreement from some regarding to the power of Prime Minister Barak before he lost the election to Prime Minister Netanyahu. And all these things were ideas, but never agreement, a complete offer of yes, we are withdrawing from the land that was occupied in 1967, and let us discuss timetables of withdrawals and security arrangement, U.N. forces to be in

us and them. None of these -- so the reason why we did not accomplish anything, because Israel was in more of a comfortable position than us. They were creating illegal facts on the ground while they were negotiating with us. Look at the settlement enterprise. And they kept saying, and it's convenient to say, oh, settlements will not be an obstacle. 700,000 taking so much land from our land and creating these realities. Many of them are carrying weapons. So while you say that we are talking, you are creating illegal facts on the ground. Is Jerusalem illegally annex? And is that okay? We will talk about the status of Jerusalem, but we annexed it. We legislated it in the Israeli [INDISCERNIBLE]. So that you see then, when you are negotiating with someone that is creating so many illegal facts on the ground and not abiding by anything, even every time the French --

HARSHANA GERU: Ambassador Mansour, I'm really sorry to interrupt, but we cannot see you right now.

AMBASSADOR RIYAD MANSOUR: You cannot hear me?

HARSHANA GERU: No, we cannot see you.

AMBASSADOR RIYAD MANSOUR: Oh, I see myself here in the corner.

[01:20:00]

Why can't you see me?

HARSHANA GERU: I think for us, it would seem that your camera is off.

AMBASSADOR RIYAD MANSOUR: My camera?

HARSHANA GERU: Yeah, I'm not sure.

AMBASSADOR RIYAD MANSOUR: Just wait. Let me do this. You see me now?

HARSHANA GERU: No, we still cannot, but I think it's fine. It doesn't matter.

AMBASSADOR RIYAD MANSOUR: I think that we are -- we are reaching the end of our --

HARSHANA GERU: Yeah, so I'm sorry, I shouldn't have interrupted. Please go ahead.

AMBASSADOR RIYAD MANSOUR: So what I'm saying is that all the experiences that we've had, it's very unfortunate that we did not reach agreements. But to see that the Israeli side, they need to come to the conclusions that, yes, we will withdraw from this land that was occupied in 1967, and yes, we will have an agreement as to what need to be put in that agreement in exchange of the withdrawal, the principle intent of Resolution 242, land for peace. But to keep the land, and you want peace at the same time, it doesn't work. And Israel is the one who's occupying our land, it's building settlements, expanding them. They have to give us signs.

Willingness and readiness to withdraw and let us negotiate the timetable for withdrawal, as it was the case with all colonial powers' experiences with their colonies. But to tell us, come on and negotiate for the sake of negotiation, and we negotiated since Oslo, and before Oslo, the Madrid Conference, for almost 30 years, and our situation moved from bad to worse. And yet, do we blame for not reaching an agreement, must be a joke, because what did not lead to an agreement, settlements, illegal things, hundreds of thousands of settlers taking our natural resources, doing all these things, isolating Gaza, look at the behavior, at what they articulate and say. What they say might appear that it has some logic, but what they do is devastating, and we should trust what they do, not what they say.

HARSHANA GERU: All right. So we will now take one last question, and that question is from [PH] Humsa Ahmed. I will read it out to you. So Humsa asks, why are there so many countries that are very wary to stand behind Palestine and support its agenda of recognition and independence? And what role would Saudi Arabia play in this if it plays a role at all?

AMBASSADOR RIYAD MANSOUR: Well, I don't know why Humsa is coming to the conclusion that we don't have enough countries behind us. We have about 140 countries that recognize us as Palestine, and we have European countries, although they don't recognize the state, but they recognize the right of the state exists, but we have diplomatic representation so close to embassies of state, but slightly less. So we have more diplomatic representation in the world than Israel itself. So I cannot complain that countries do not support us. Just today, we had the voting on our right to self-determination. 163 voted yes, six voted no. And then others were just absent for COVID reasons. And this number will even increase when you go to the General Assembly. So I cannot complain that we do not have support. Our main problem is that the Israeli occupation and the unlimited support, especially during the time of the Trump administration. We're talking about the most powerful country in the world. So these are the obstacles in our way. It's not Saudi Arabia or this country or that country might agree [INDISCERNIBLE] issues. But these are minor issues, not major issues. Our problem is the occupation and the strength of the Israeli occupying authorities and that strength is stemming mainly from the unlimited support by the U.S. administration, particularly President Trump administration.

[01:25:00]

That is our issue. And I just say thank you again. And hopefully one of these days when things go back to normal, under the new normal, maybe I'll come and visit your campus.

HARSHANA GERU: Thank you so much, Ambassador Mansour, for being here. As you can see in the chat, we're just receiving a lot of comments from students who are thanking you for taking the time. And it was a very engaging session for the Q&A and we received some very interesting questions. And I'm sure we all got to learn more today about this situation. I will now hand back to Dean Smith to make some closing statements before we end the session.

COURTNEY SMITH: So thank you very much, Mr. Ambassador. We are very grateful that you were so generous in your time with us to answer an hour's worth of questions from our

students. So that's really what makes this a wonderful learning opportunity is when diplomats such as yourself not only give opening remarks but also spend time engaging in conversation on a wide range of different issues. And it's definitely a complex topic, a challenging topic for the international community. We look forward on our campus to having ongoing conversations as we move forward to continue learning about these issues. And we very much appreciate not only your time with us today but also your interest in visiting campus once the -- once the pandemic is over. I know that you have a rich service as the Palestinian representative at the U.N., and I'm sure there's many other areas that we can draw on in conversation with you. So, and I know the students that are on the -- on the session now will hold our feet to the fire and make sure that when that invitation can go out and we can safely host you on campus, that we will continue to do so. So thank you, Mr. Ambassador, and to all of the students who joined us today, thank you for your questions. It was a very interesting conversation, not only with the Ambassador, but as Harshana indicated, within the chat as well. And I think there's real potential to have some inter-student dialogue, just among ourselves and with faculty across a number of different organizations on campus. There's a shared hope for progress on this issue and I think to really make progress moving forward on a lot of issues globally, it will be up to our students now. You are the ones who will be making a difference moving forward as you embark upon your careers. So I applaud you for your eagerness to engage in these issues and I really want to encourage you to continue the conversation, whether it be through a school diplomacy event or through your own student organizations or just with your friends as you gather either virtually or in person when that's feasible again. So thank you everyone and I thank you again, Mr. Ambassador. Thank you, Mohaned, for making the connection for the school, and thank you, Harshana, for guiding us through the conversation with the Ambassador. You all did a wonderful job and have a wonderful evening, everyone.

AMBASSADOR RIYAD MANSOUR: Thank you for having me.

MOHANED AL-SAIT: Bye.

AMBASSADOR RIYAD MANSOUR: Thank you.

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Daniel Boisson
Project Manager

Exhibit 261

[00:00:00]

DR. MADHU RAO: I invite His Excellency, Mr. Riyad Mansour, who is the Permanent Observer of the State of Palestine for the United Nations, and he'll be talking about the Palestine Affairs and the Biden Administration, the Status Quo versus Political Engagement. So I invite Dr. Jabbar to say a few words and then proceed.

DR. JABBAR AL-OBAIDI: Thank you, Dr. Madhu Rao. If you don't know, him is the Director of MENA Studies Program. That's Middle East and North Africa Studies Program. My name is Jabbar Al-Obaidi. I'm the Academic Director of Global Programs of the Minnock Institute for Global Engagement, Bridgewater State University. It is my privilege and honor to introduce to you our speaker this afternoon. He is no stranger to our campus because he visited our campus and we enjoy really with him sometimes on the social side with faculty, librarians, and students and staff. Dr. Rivad Mansour was born into a refugee family that lived in the city of Ramallah in the Occupied West Bank. In 1967, Ambassador Mansour started his college education in the United States. Since his youth, he has always been involved in Palestinian politics and began his career in the Palestinian Diplomatic Service in 1983 at the Permanent Observer Mission of the Palestine Liberation Organization, which is known then, PLO. So don't be scared from PLO. To the United Nations, he was appointed Ambassador and Permanent Observer of Palestine to the United Nations in 2005. And since 29 November 2012, he has been Ambassador and Permanent Observer to the State of Palestine, hopefully to be officially declared in the near future on the global arena. Dr. Mansour is also the Non-Resident Ambassador of the State of Palestine to Costa Rica and to the Dominican Republic. Dr. Mansour joined the Permanent Observer Mission of the PLO to the United Nations in New York in 1983, as I mentioned, as Deputy Permanent Observer. He represented Palestine in several committees and bodies of the United Nations. In 1994, he joined the private sector, accepting the position of Vice President of the Intram Investments, Incorporation, Orlando, Florida. His Excellency, our speaker, the Ambassador, he got his Ph.D. actually in philosophy in 1997 from University of Akron, Ohio. It's a long story, but it's my special privilege to introduce to you our dear speaker, Ambassador Riyad Mansour. Ambassador, the floor is yours.

AMBASSADOR RIYAD MANSOUR: Thank you very much, Jabbar Al-Obaidi, friend, professor. And also, I want to begin by expressing my gratitude to your university, Bridgewater University, for inviting me to communicate and to dialogue with you over the current time in the span of a number of years. And also, I want to thank the special department, Middle Eastern and North African Affairs, which I assume that it is the party that is involved in organizing this event.

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Again, I want to thank you for inviting me to share with your audience some of the important issues related to the question of Palestine and related to the bilateral relationship between the State of Palestine and the new administration in Washington, D.C., the administration of President Biden. It goes without saying that we have difficult years during the time of the administration of President Trump because he deviated radically, and here I'm referring to the

Trump administration, from the additional U.S. policy visa vis the question of Palestine and the relationship with the two parties, Palestine and Israel, and deviated radically from the global consensus established at the United Nations and in the Security Council, which advocated for some time, long time, actually, the concept of a two-state solution on the basis of the 1967 borders. With the accepting the principle of some adjustments to the borders, with arrived at a negotiation for the purpose. But that two-state solution to be based on international law relevant to other solutions. And the departing administration of President Trump wanted to replace this global consensus with a one-sided notion that amounts into the negation and elimination of the national aspirations of Palestine. So during that period of time, for at least three years, we were not in talking or negotiating terms with the departing administration because it accepted the point of view of the extreme rightist government of the Prime Minister. Now, with the election of the new administration, President Biden, we watched very closely the articulation during the campaign and then what they are doing since the inauguration of the president. During the campaign, they articulated the position that they are an advocate of a two-state solution. They wanted to reengage with both parties, meaning that to include us in the talks to reopen our representation in Washington, D.C. for office, and to reopen the U.S. Consulate in East Jerusalem, which deals with the affairs of the relationship between the Palestinian side and the U.S. administration directly, not as part of the U.S. Embassy Tel Aviv, and later on, definitely not as part of the embassy in Jerusalem. And also the administration articulated the position during the campaign over renewing the humanitarian assistance to the Palestinians, who are continuing to fund significantly UNRWA, which is the UN agency that looks after the Palestine refugees, and through USA to help in many ways, including the Gaza Strip and many projects, and also to renew helping five hospitals in East Jerusalem, which there are in need of financial help during the time of COVID-19 and the challenges that we are facing, as the rest of humanity, dealing with this pandemic. And then they also added more of these promises. They did not say anything with regard to unilateral allegiant position of recognizing Jerusalem as the capital of Israel and are moving the Embassy from Tel Aviv to Jerusalem in violations of security counsel resolutions in which the different U.S. administrations contributed to adopting these resolutions.

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So six days after the adoption, I mean after the inauguration of President Biden, there was an open session in the Security Counsel on 26 January. In that meeting, the new administration articulated their position visa vis the question of Palestine. They reiterated the two-state solution, willingness to engage both parties, to reopen representations in Washington and in East Jerusalem, they reiterated the position of commitment to the two-state solution, to humanitarian health, paying attention to the plight of the Palestine refugees, and other issues that they articulated [INDISCERNIBLE], including the engagement. In 26 March, the new Ambassador of the United States to the United Nations, Ambassador Linda Greenfield, reiterated similar position but added a bit more clarification, not only just saying two-state solution but said two-state solution on the basis of international law relevant to a resolution, reiterated the position of engagement with both parties officially. Of course, for us, it means us because engagement with the Israel side, during all different administrations, including the Trump administration and, of course, the Biden administration. And she announced also the commitment to give \$15 million assistance in combatting COVID and to help the food program, particularly in the Gaza Strip. Of

course, these are small, modest steps, but steps in the right direction. What we say and what we are saying to them, that we need to intensify the engagement and we need you now to see these promises that were given during the campaign to begin the implementation of these promises at a faster pace. Of course, we are aware and we understand the fact that the Trump administration created a lot of problems for the incoming administration, and they are extremely busy with them, including how to deal with the pandemic and economic ramifications and the stimulus which was adopted, and issues related to discrimination against the Afro-Americans and Latin Americans, communities of color and so on and so forth. We are aware of that. We understand that these are top priorities over the incoming administration. But nonetheless, we believe that our issue cannot be put on the side for a long period of time because we have been waiting for a long period of time for this occupation to end and to see the independence of the State of Palestine. But also, we are adding that we need to engage extensively at all levels, levels of experts, and maybe a level of representatives at the higher levels, and through engagement, we will be able to see jointly how we can deal with the easier issues and begin implementing them. For example, the issue of releasing money to UNRWA. It does not require appropriation in Congress because the appropriation took place even from the time of President Trump, but President Trump made an executive order to suspend the disbursement of this appropriation.

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So it was done this way, then it could relatively easily be reversed or an executive decision by the current administration to continue disbursement of money to UNRWA, as has been the case during so many different administrations from the time, since the inception of the problem of the Palestine refugees. So things of easier nature like that, through serious engagements and discussions, we can begin seeing that does not require a lot of time for these programs to be put in place and to be implemented. And through dialogue and discussion, one can find ways of how to deal with the more ambitious issues, such as reinvigorating the Quartet, although it has been invigorated at the level of the special invoices because the Quartet is formed from four different countries, United States, Russian Federation, European Union, and the United Nations. Because we believe that with the complexities of the global affairs, no one country can deal with complicated issues alone. Take an example, the pandemic. If everybody is inoculated in the United States and Africa is not inoculated, so nobody is safe until we are all healthy and safe in all corners of the globe. So therefore, you cannot deal with the issues of the WHO and the health issues alone. We have to deal with it in a collective way globally. The same thing in world climate change. Climate change, not a single country can deal with it alone. It is all of us agreeing on what would be allowed, degrees of the increase of the temperature, and we did that in many conferences early in the Paris Agreement of climate change, not to increase it by more than 1.5 percent, 1.5 degrees centigrade, and we also agreed on how not to use certain forms of energy because it pollutes immensely, such as coal, and to gradually phase out humanity from fossil fuel energy base into a clean energy base to save Mother Earth. So these issues cannot be dealt with and reach solutions to it through one single country or two countries alone. We need to do it collectively. So if that is the case in dealing with complicated issues, then it is the case that we need a collective approach to deal with the Palestine question. The first step in that direction is to reinvigorate the Quartet. It's a form of a collective approach. Our preference is an international conference to include, in addition to the Quarter, other important players, whether

Arab countries, in addition to Palestine and Israel, and other important countries that would help us to reach a peaceful agreement and would help us to guarantee the implementation of the peace agreement. That implementation would require, for example, countries such as Germany, Japan, among others, just only to mention a few, on the question of refugees, for example, would require compensation that it was tens of billions of dollars, that it requires countries that will donate this through, of course, countries like Canada. So therefore, if those are going to be needed for the implementation phase of the agreement or the solution, then might as well get them involved from the beginning to guarantee success in reaching a peace treaty between the parties, and after that to guarantee the implementation of that piece.

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So from that, we're saying that we need to reinvigorate the Quartet, and we're not engaging our American colleagues, not engaging all members of the Quartet, to convince them to shift gears and to prepare for the meeting at the ministerial level of the Quartet, meaning at the level of [INDISCERNIBLE], the Prime Minister of the European Union and the Secretary General of Japan, so prepare them for that meeting to negotiate a meaningful outcome that will open doors for a political process that will take us to the end of the occupation and implementing division of the two-state solution. So these aren't all of the issues that we are talking about, and also we are open for other issues that others would bring to the table to discuss. And that's why we are happy that new administration of President Biden announced from the beginning that they welcome the engagement with the Quartet, with the parties, with the Security Council, with the international community. But now our task is to try to fast track these concepts instead of keeping them as abstract concepts, but when it comes to implementation, we are moving at a very slow pace. I met twice with my colleague, Ambassador Linda Greenfield. She has been with us less than a month. I met with her one time with a group of ambassadors to implement instructions that were given to us by our foreign ministers to engage the international community to reinvigorate the Quartet. And I met with her bilaterally, dealing with issues related to U.S./Palestine relationship. And we agreed to continue the engagement, not only to deal with issues related to Palestine/U.S. relationship, but also to deal with global issues since we are diplomats of the United Nations, and we have tall order issues facing humanity that requires the engagement of all diplomats, certainly diplomats with the proper knowledge and the higher degree of influence. And for us, we are active not only on issues related to us, especially after we change our status to a state or what we are, an observer state, but we are very active on important formations at the U.N. Two years ago, we led a group of 77 on China, which is the largest group of countries, 154 countries of the United Nations, that deals with 70 percent of the agenda of the United Nations agenda today, which is a developmental agenda, which more specifically, the implementation of the sustainable development goals, 17 goals and the 169 targets that span all issues of importance to humanity from any occasion, eradication of poverty, food security, climate change, health issues, desertification, ocean affairs, name it, we deal with all those issues, and gender balance and so on and so forth. So we took upon ourselves to take chairmanship, leadership of such a group, and to deal with these complicated issues with a high degree of responsibility, meaning we were showing our credentials, not only that we are a state or that our land is under occupation, but that responsible, qualified states do deal with these issues. Or, for example, on issues related to the ICC, the International Criminal Court, not only

that we are a member, but we are a very responsible, active member in dealing with complicated issues related to it.

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And we are proud to say that we were elected to the bureau for a duration of two years. It's supposed to bet here years, but we took a responsible position to have three candidates instead of two candidates serving three years, so we reached a compromise for countries like South Korea, Japan, and others, Bangladesh one time, to divide the six years instead of three years to two for each candidate and spread it to three countries for two years each one to see how to distribute the two years. So I am proud to say that we were elected two consecutive terms as member of the bureau. I'm just only giving examples of how we are shifting gears as a responsible state of the United Nations, although we are not granted our natural and legal right to be a full member state, because if your land is under occupation, it does not mean that you cannot be a member of the United Nations. But the United Nations is structured in such a way that one country that has a permanent seat in the Security Council can sabotage your right to be a member state by casting a vote. We understand that. But we want to show through our conduct that not only we walk like a state and we talk like a state, but we act like a responsible state. Therefore, for those who are cynical to politicize that issue and to deprive us from our right to be a state, to maybe look at our conduct and see how we behave and how we handle global issues in which more than half of the countries of the United Nations cannot do so perhaps they can revisit this issue and change their mind with regard to recognizing us as a state. Because to be a state is inherent in the right of people to exercise self-determination. When the United States of America, the 13 colonies, decided to be independent, as exercising their right to self-determination, they did not negotiate that issue with the Brits, nor did they ask them their permission to do so. And when Israel in May 1948 decided to be an independent country and did that as a form of exercising their right to self-determination, they did not negotiate with anyone, nor they asked permission from anyone to do so, and the state of Palestine is not an exception to the rule. We are like all others who have done it. So what I'm saying is that we are at the beginning stages of engagement. We are ready and willing to intensify that engagement to see how we can sift through and remove if we can all obstacles before us that were created during the Trump administration, and to work together with the Biden administration with a view and vision of trying to find peaceful solutions to this conflict that has lasted for too long. In this connection, you can help us. It is strange that this new administration, like all other administrations of the United States, has championed the concept of election as a genuine expression of democracy and transparency. The current Biden administration did not issue a statement of welcoming our decisions to have elections, and we will have the first phase of it for the logistical concept in the occupied directory on the 22nd of May. They have not yet followed almost all major countries and mid-size countries to welcome our decision and our presidential decree to have election. And they are quiet on that issue.

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And in fact, during the time of President George W. Bush, that administration was pressuring us immensely to have the election that we had in the year 2006. And we sincerely hope that our colleagues of the new administration in Washington catch up with this issue and to express

respect and support to the decision of the Palestinian leadership and the Palestinian people to register to vote in significant numbers in comparison to the last time, to express support for that endeavor that is approaching us soon on the 22nd of May. The other aspect is we are appealing to all countries, including the U.S. administration. And I passed the Secretary of State yesterday a letter from our Foreign Minister, and we also passed copies of it to the Secretary General of the U.N., to the Foreign Minister of the Russian Federation and the European Union, to help us with the Israel the occupying power, not to put obstacles in the path of exercising our right to have our election, including in these [INDISCERNIBLE], we need help from powerful countries that have relationships close to Israel to convince them not to put obstacles in the path of our election, particularly these ones. So this is where we are. We are eager, ready, and willing to intensify the engagement at all levels, lead with all these issues, the easy ones, the complicated one, the mid-size one, because this is the nature of the diplomatic relations and contacts. You talk and you negotiate, not only the easy things but all issues, and you try to reach agreements or consensus on how to lead with the easy one, how to amend them, how to deal with the complicated ones, when to implement them, when to deal with them. We are ready and willing to deal with all these issues as fast as our colleagues in Washington are ready, but we do not accept [INDISCERNIBLE] it until we get to the mid-term election, and depending on the results, what would happen, and then to wait until 2024. We are busy with the campaign for the election then. It's not fair to us. It's not too fair to these. It's not fair to populations of state of Palestine and the state of Israel. We are in urgent need for peace and we need to have our own slot on the agenda of the new administration to give this issue the time that it deserves and the energy that it requires and the prestige and influence of the U.S. administration and the United States on global issues that can help us move closer to the beginning of a meaningful political process that would lead us to peace and to peaceful agreement with our neighbors, the Israelis, so that we can begin to open new chapters of peace, development, and security for all peoples in the Middle East, and for definitely the key neighbors, state of Palestine and the state of Israel. I will stop here so I can give the audience a chance to ask questions, and I'll be more than happy to respond to them. Again, thank you very much for inviting me and listening. Back to you, Jabbar.

DR. JABBAR AL-OBAIDI: Thank you, Ambassador Riyad Mansour for this informative and comprehensive presentation. And I think I have two questions and we'll open this to our respectful audience. So you spoke about the effort of engaging the international community and the leaders. What are the efforts from your part to engage the Israeli side in this? Because you are very close to them in that you are neighbors. So if you can highlight some of the efforts on an individual level from the Palestinian authority toward the Israeli authority.

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The second question, you said that unfortunately the United States has been quiet on the issue of election on May 22nd. Isn't that just an oversight on their part? Or this has some political ramifications? Thank you.

AMBASSADOR RIYAD MANSOUR: You're welcome. I'll begin with the second question. In the meeting with the Ambassador of the United States, bilaterally, she was very much interested in knowing more details about the election. And I was sharing with her the issues that

she raised and addressing concerns that she raised. I indicated to her that there were -- there were efforts, using the good offices of the Egyptians are trying to help different components, different Palestinian components, to agree to the elections and the modalities of the elections, which we are conducting, because it will, there will be three state elections, one legislative for the component in the occupied territory, to be followed in July by presidential election, and to be completed in August by electing the remaining part, the Palestine National Council representative, in which the first part of it would be the 130 elected in May '21, who will be the legislative counsel in the occupied territory, but they will automatically be members of the Palestine National Council, which is the parliament of all Palestinians in the occupied territory and outside. It is the Parliament of the PLO. So I said that the Egyptians help us to remove the obstacles in the path of all political parties to agree to the election, including the modality of the election, which this time will be completely a portion of representation, similar to Israel, meaning that you don't vote for the candidate, you vote for the slate, meaning you vote for the political party or global people who might put together a slate around a certain platform, so you vote for a state. And you have to reach a certain threshold to be able to be represented in the counsel. So I said, the Egyptians help us through all these issues and they are helping us to try to bring Hamas and Jihad to be part of the Palestine liberations. And I reported to her, I'm sure that she reported to Washington, that two political parties agreed to the platform of the PLO, what the PLO stands for, and to the two-state, through international law, to all these issues that might be of concern to any parties, including the residents. And then I said we need help in supporting this process, and we need countries not to wait until they see the results and then they say because we don't like the results, we don't like the election, we will not deal with the national good of the government that will emerge after the election. Because that's fair. You tell me, well, I wait to see the election in the United States. The democrats win the election. I like that. That's what's legitimate. If another party wins the election, no, it is not legitimate. Therefore, it was stolen. And no one's taking that seriously. Election is election and you have to be ready to accept the results, honor it, indeed with whoever wins the election. This is how we deal with Israel. And Israel, over the last four elections, and perhaps maybe the fifth one, the trend of having extreme rightist groups is increasing. In Israel, the left is disintegrating and the center is getting small. The right and extreme right is getting big. So we do not choose which party that we will deal with and which parties we will not deal with it.

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Whoever the Israeli people elect, and assemble a government, we have to deal with that government because it is the government of Israel. By the same token, regardless of who will win the election in our side, and all parties are saying we want to establish a national unity government, do not come and start imposing conditions that, well, Hamas cannot be part of the government until they meet 1, 2, 3, 4 criteria. This way, if we apply this now to all countries equally, then we will not have relationships with these countries. So I was explaining all this. So perhaps, it's bizarre that the reason why they are waiting not to welcome the elections, that maybe these are the issues in their mind. But we are ready and willing to engage them if they put their cards on the table, that they have to be up front with us. There are issues, tell us. If you have any issue related to the election, tell us so that we can address it and put it behind us. So this is with regard to the election, but we sincerely hope that election is a good thing. All U.S.

administration, any country in Africa, do election, show democracy. Look what they do that the criticism, for example, to Putin. Why are you renewing that you want to have two more terms? Open elections. Let somebody else be elected. Isn't this what they say to other countries in all corners of the globe? That should be also the case in a similar situation. Now, with regard to other issues about the [INDISCERNIBLE], first of all, we don't know which government is in place in Israel. They are going through the turmoil of elections and election and we don't know whatever government that is stable and that is ready and willing to engage. And by the way, that when our president came in February of 2020 and addressed the Security Council with regard to advocating for the idea of having an international conference to include everyone in it to deal with our issue, he addressed the issue of negotiations with Israelis. He said, I never said no to an invitation to negotiate. He said, I was invited by the President of the Russian Federation three times to negotiate with Netanyahu, and I was one time on my way to Moscow, I was in Warsaw, when Netanyahu three times said no. So as he said, I don't say no to the option of negotiating. It's the other side that has not. And he said even if the Israelis are ready and willing, they can, I am here in New York. They can come to New York, and we can begin negotiations. So I don't think that it's an issue with us with regard to negotiations. I think it is more of an issue for them. And they try to manage in global public opinion that they want to negotiate and it's the Palestinian side that doesn't want to do that. That's not true.

DR. JABBAR AL-OBAIDI: Thank you. Any of our audience have a question, please? You can put it in the chat if you don't want to speak, or just go ahead and unmute yourself and fire your question. Yes?

NAVID FOZI: If I may jump on, thank you, Ambassador Mansour. I appreciate your comprehensive outlining of your plans. I have several questions, but let me start with the main one, which is about the regional players who on the one hand have great impact in the internal affairs of the Palestinians, bureaucratic administration, specifically I'm talking about Iran. And they are not necessarily friendly to your main project, your main agenda, the two-state solution. In fact, I think there are plenty of examples that they have an agenda to sabotage any effort to establish two states.

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How are you planning, or you deal with that issue? Because among the Middle Eastern countries, Iran is pretty much the only one that expressly and explicitly supports Palestinians and they have the means to sabotage the project of two-state solution. Thank you.

AMBASSADOR RIYAD MANSOUR: We have regional barriers, are very influential, you referred to one, which has some influence with some groups within the Palestinian movement, but they have more influence in Syria and Lebanon and Iraq, for example, and Yemen, for that matter, and also they are very close to all the Gulf State Arab countries. But there's also Turkey has another regional player, and it has influence within also the Palestinian movement and with some of the others. But for us, as political movement from the time of Yasar Arafat who bore a slogan saying that we do not interfere in internal affairs with any country, out of country or regional country, and by the same token, we do not -- we do not accept anyone who meddled in

our own internal affairs. We believe in the principle of mutual respect and to have arm's length away from everyone, won't interfere in our relations, and we do not interfere with yours. That's the general principle. But we know that the Middle East space, huge amount of problems. I just mentioned Iraq, Syria, Lebanon, Libya, Yemen, then you had for a while problems among countries of the Gulf Region and recently they had reconciliation to support, and we are happy that they are doing that and wish them to strengthen it and to sustain it. But we know that when you have all these problems, then you have so many players from the region interfering in these burning issues in the countries that I mentioned. Then you have regional players. Then you have global, powerful players. Everybody is playing in the Middle East. So that that is an environment is not conducive to shield us and to make us 100 percent safe from interference from some who are capable or have ways of interfering with some segments of your political strata, just to be very frank and realistic. Now, the issue of the two-state solution is not an issue for anyone. This is an issue that the Palestinian people decide on it from way, from before even the Islamic Republic of Iran came to be. We agreed as Palestinian and political forces within the PLO from 1973 that the two-state solution is most realistic solution for addressing Palestine Question and allowing for the inalienable national rights of the Palestinian people to be exercised. That is our issue, regardless of those who are sympathetic to it or not in agreement with it. As long as that is the wish of the Palestinian group, that is the only game in town. If the Palestinian people are going to change that configuration, then people should respect that. It's ironic that the extreme right forces within Israel are the ones who are trying to destroy the two-state solution.

[00:50:00]

And imposing a one-state reality, which the leaders of the Biden administration, before the Barack Obama administration, where opposing this one-state reality, not necessarily because of sympathy with the Palestinian position, but more of defense of Israel not to destroy itself from within, because if you remember John Kennedy's speech, 67-minute speech or, I think it was speech, not interview, but it was covered by television stations after the adoption of Resolution 334 in the Security Council in December 2016. And his main thesis was, if you keep annexing more and expanding settlements, you are destroying the two-state solution concept. What do you replace it with? You replace it with one-state reality. One-state reality Israel cannot be democratic and Jewish, mainly Jewish at the same time. It will be an apartheid state. Apartheid state, there is no apartheid for humanity to accept a new apartheid state after the elimination of the one that existed in South Africa. So the only way not to allow that option to take place is to separate and to allow for the two-state solution. Now, I know that it is becoming very complicated for that platform to be implemented because of the action of the extreme rightist elements inside Israel, because the more you expand settlement, the more you annex land, the more difficulty you make it for the Palestinian state to be sustained and to be viable and to be continuous. But the other things that you are also creating, Jews becoming minority between the river and the Mediterranean Sea. That's the new reality you're creating. And the Palestinians will be increasing more and more in number. Then you allow the minority to control the majority and you call it democratic. It cannot be. And even if, and will it be the minority's Jewish? No. So then the two concepts that those who care from the left and the center and the liberation action side, whether among the Jewish community in the United States or globally speaking, then it will not be democratic and it will not be majority Jews. So they have to decide.

So that's regardless of what Iran thinks or what anybody else thinks, the most realistic solution is to separate. So this way, we live in dignity and freedom in our own independent state, and Israel will be majority Jewish, and the issue of democracy is up to them to decide. But they can be if they want to. So that these are the issues, I think they are more important than what Iran thinks or doesn't think, although I am not saying that Iran is not a powerful, significant regional player. It is. And Turkey is a significant, powerful player, and Israel is a significant player in that region, which is majority, massively majority of nations and Arab peoples.

DR. JABBAR AL-OBAIDI: Thank you, Mr. Ambassador. Question? Don't shy away. Yes, sir, Mark?

MARK BRENNER: Jabbar, good to see you.

DR. JABBAR AL-OBAIDI: Good to see you as well.

MARK BRENNER: Ambassador, thank you for coming to Bridgewater, at least virtually. So Dean Alcon and I have led two trips to Israel in the past, and on one of the trips, we met with a shopkeeper in the West Bank. And one of the students asked the shopkeeper if he had to choose between Israeli control or Palestinian control, what would you choose?

[00:55:00]

And the shopkeeper responded by saying, the Israeli control is on its occupation, and so I would not choose that. And the Palestinian control is corrupt, and so I would not choose that. It was incredibly, in some ways, hopeless. And so if you were to speak to the shopkeeper, what hope, how could, what hope could you give him in this situation?

AMBASSADOR RIYAD MANSOUR: I can, again, by understanding the frustration of this shopkeeper and those who, like him, occupation brought all the miseries for them, including stealing their land and resources of their land and depriving them from living in freedom and dignity in their own independence. The fact that the Palestinian national authority has been in power for this long period of time without accomplishing the objectives of reaching sovereign independence or freedom of the state of Palestine is frustrating the population that it is a leadership that does not accomplish its objectives. So it is like being between a hard place and, what is it? A rock and a hard place as well as the saying goes. And of course, Israel benefits occupying power, benefits from this situation, more that it keeps the leadership of the authority not being able to significantly accomplish the task of the end of occupation and independence. It enhances division in the minds of the people that it is a failing leadership. Israel occupying authority can afford that. They are occupying and they are throwing the responsibility to the continuation of the misery of their own populations. And by the way, you are professors, I assume some of you are professors of history, if you study the history of all colonial powers, all occupying powers, the most important scenario to them is to try to convince the population that their leaders are responsible for their miseries, not the occupation, not the colonial power, not the outside. This is coming into play in our case. It's not a surprise. Even from the experience of the United States of America, British colonial power during the time that it was in control, it was

shifting the blame, especially during the Revolutionary War, on the Revolutionary forces of the 13 colonies. One can think of, for example, The Patriot, the movie. Who is responsible for torching all those inside the church? Gibson and level groups who were rebelling against the British that led to the demise of those that British officer put them in a church, locked them, got the information from them or from some of them about the location of the Revolutionaries, and he torched all of them alive. And there are millions of stories about that, one can tell. It's a very ugly situation, frustrating situation. Solution to it from our perspective is we need to put an end to occupying. Then it becomes a domestic issue for us between the people and their leaders, as it is for you. You were fed up with Trump, you elected Biden. But you cannot do that if there was a British colonialism on top of your head. Then that is an issue for the people. You did not like these leaders. Why did you elect them again? You have an opportunity to elect others. But of course, this is a complicated philosophical situation. That guy, that person, is living a very difficult situation, between two complicated, not promising situations.

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One is the occupation, which is obvious, and he was honest and told you that, and he was expecting a different behavior from Palestinian National Authority. Under no circumstances, the leaders of the authority cannot justify some of them being corrupt, because if the people are living in a difficult situation, you cannot add by trying to live differently. And usually, successful leaders are the leaders who are very close to the pain of their people and live like them. And they become popular that way. But if for a period of time become privileged and corrupt and away from the pain of the people that they claim that they represent, I think that their popularity and support will [INDISCERNIBLE] in the eyes of the people. These are some of the challenges that the Palestinian people are facing. And in this election, it's particularly important to elect people that are closer to the vision and to the pain.

DR. JABBAR AL-OBAIDI: Thank you, Mr. President, Mr. Ambassador. So now I have a question from Francesca Jeffries. Please comment on the danger of the nuclear weapons process by Israel. Can this be eliminated by negotiations? This is in the chat, so I'm reading from the chat.

AMBASSADOR RIYAD MANSOUR: Yes, that's a good question. In fact, first of all, because we changed our status, we are a member state, state party to the NPT. And we are an advocate of having the Middle East as a zone of free from nuclear and mass destruction weapons. By the way, Latin America is one of those countries that came to the conclusion. And we are also in the midst of preparation for a convention to have the Middle East as a free zone from medical workers. And Israel is the one that is not playing a constructive role in these efforts. They don't want to eliminate their nuclear program, although officially they are not admitting that they have one, though everyone in all corners of the globe know very well that Israel has a nuclear weapon program. The U.N., when it came into being and humanity reached the conclusion that we need an organization to avoid having wars like the first one and the second World War, in which millions of people were killed in the hands of man, and the U.N. was supposed to be an instrument to resolve issues peacefully and not to result in war, save generations the scorn of war [INDISCERNIBLE]. So then after the formation of the U.N. during

the Cold War period, then the issue was disarmament, no nuclear weapons to fester, not to allow countries to have nuclear weapons, because this time, it's not like the first time and the second time in a span of 100 years. This time, we, if we have a nuclear war, we would threat humanity from existing on Mother Earth. So it is within our collective interest to eliminate all nuclear weapons because there will not be a winner if nuclear war would take place. So, from our side, we are working very actively on the adoption of this convention, this instrument, and the hoping that everyone will be on board. But I can tell you from now, Israel is not, is an opposer, and that does not mean that we will not continue work on it and have this instrument and to have countries approve it, ratify it, and to decide on how it can come into existence.

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But this is one of the issues that is really important for all of us. Even Iran was ready to engage, and during the time of President Barack Obama, there was an agreement of the six plus one and I believe we are on the initial stages of reviving that agreement, which through peaceful ways not to allow Iran to have nuclear weapons, and in exchange for Iran to resolve the blockade against it and to minimize the suffering that they go through as a result of continuing the nuclear program. And this is -- this is one of the things that the Biden administration promised, that when they win the election, they will go back to the agreement that was reached during the time of President Barack Obama.

DR. JABBAR AL-OBAIDI: Thank you, Mr. Ambassador. Any further questions?

DR. MADHU RAO: Yeah, dear Ambassador Mansur.

AMBASSADOR RIYAD MANSOUR: Yes, sir.

DR. MADHU RAO: Yeah, I was reading somewhere about Mr. Kushner who is the ex-son-in-law, I'm sorry, son-in-law of ex-President Trump. He was more efficient in terms of creating negotiations within Israel and Arab Emirates and Kuwait and Saudi Arabia, which was never the case in the past, and therefore, I mean, he was more effective as a Middle East peace negotiator than anybody else in the past or even now. So therefore, does that really damage Palestine efforts or anything to do with Palestine in terms of its progress in having a one-state solution, things like that, or two-state solutions?

AMBASSADOR RIYAD MANSOUR: Maybe he was effective in having deals with some of these Gulf States who were never in war with Israel. That is true. But he failed completely in convincing the international community over the span of 40 years, and the Security Council, of throwing on the garbage the collective agreement by humanity and the international community on how to solve this conflict, which is basically the same thing that the international community reached in 1947, two-state solution. And with some agreement of how to make Jerusalem a city that is for everyone, although parts of it would be under the control, more or less, of the two states, because it will be the capital of those states. So he came very often to the Security Council, telling everyone, what you're doing is nonsense. It did not work for the last, I don't know how many years. His work will be the one that will solve the problem. He tried and he

did not win a single country, including the closest to the United States. By that, I mean the UK. I used to go and listen to him. And he comes with the attitude, rather erratically, that you spoil the Palestinians too much. You should starve them. You should make them kneel on their knees. You should clobber them. You should do all these things and you will get different results. Of course, those are nuanced. He doesn't know if you come as a successful real estate agent, you think that everything is a deal or that you are selling or buying, but that is not the case when it comes to issues of human dignity and human affairs. Seems to me that he did not even study well the history of the United States. He did not study well even what happened in Boston at one time when they threw pallets of tea in the -- in the bay and they said, no taxation without representation. Just, I'm giving examples.

[01:10:00]

So if he was so brilliant and so successful, why didn't he succeed in changing the global consensus, which advocates how to solve the Palestine Question on the basis of international law and relevant U.N. resolutions? I admit, he succeeded in having a relationship with the Ambassador of the United Arab Emirates and Bahrain. These two countries never were at war with Israel. But it is part of what happened during his time. But I don't think that you can claim that you were successful. You take only one part of the picture and forget the big failure that you had in the major part of the picture, which is resolving the Palestine/Israel/UAE conflict. On his time watch, there were no talks or discussions between Palestinian side and the Trump administration. And for that matter, there were no relationship with the Israeli Occupving Authority other than the daily relationship with the occupiers of the [INDISCERNIBLE]. You see the security forces everywhere. You see the checkpoints everywhere. You see that the occupying authority is influencing the life of everyone, taking the land, building settlements. That occupation. That's not asking the Palestinians for a decision to make and to listen to the suggestions of the Palestinians. If you are an occupier and you're imposing as you like over the people that you occupy. So for him, in the fundamental issue, he failed. And in marginal issues, he had some success.

DR. JABBAR AL-OBAIDI: Okay. We have one minute for last question. Yes, sir, Dr. Madhu?

DR. MADHU RAO: Yeah, I have, I mean, you brought up an interesting viewpoint on the demographic shift within Palestine and Israel. So just wondering, what is the proportion of the population in the future going to be like among the Palestinians and also visa vis Israeli?

AMBASSADOR RIYAD MANSOUR: I guess what is the what?

DR. MADHU RAO: The population shift, like the, as you were saying in the past, or, I mean, the previous conversation about the number of people that Israelis in relation to the number of people, the Palestinians, like birthrate, population growth. And how are these going to impact?

AMBASSADOR RIYAD MANSOUR: Well, first, it goes without saying that the ratio of growth among Palestinians is much higher among the Jewish population of the state of Israel. Now, of course, in Israel itself, there is most, little bit less than 2 million Palestinian Israelis. So

they constitute about 20 percent of the population. And there is another 5 percent who are not Jews. So 25 percent of the population of Israel are not Jews. Of course, all of -- all of the population of the West Bank, Gaza, and East Jerusalem, with the exception of the settlers, are Palestinian Arabs. So you add those to the close to 2 million Palestinians who are Israeli citizens, then between the River Jordan and the Mediterranean, the population is about the same. We might be, the Palestinian Arabs, might be 1 or 2 percentage more than the Jewish population in that general area. Now, the projections maybe by 2050, the ratio might be 40/60 in our favor. And it will increase more. That's the demographic you were asking. Now, the extreme rightists, the settler communities, there is no one that will accept today complete ethnic cleanse. Bring buses and trucks, load them with Palestinians, and throw them into desert, or throw them into Jordan. Jordan is your state. Go there. Even leaders may be the most extreme among the Israeli Jewish leaders would contemplate such possibility.

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Now, what they do is like what happened in South Africa, land Bantustanization, meaning you have island or population areas. The land is for the Jewish settlements. That's why the concept of annexation that was allowed in Kushner's so-called brilliant idea of how to resolve the issue is that for Israel to annex the Jordan Valley, to annex the settlements, to annex East Jerusalem. So this annexation will amount into an additional 30 percent of the occupied land. So what does that mean? It means that you will have clusters of Palestinian centers of populations in the cities, some called Area A, some called Area B, and these are isolated Bantustans of Palestinians. The land will be taken by the settlers. So they want the land, they don't want the people. And they cannot expel the people. They will be in Bantustans, and they will encourage those who can migrate and leave in order to dilute the number of Palestinians. But even inside Israel, that is not happening. And I think that some of the Israeli leaders writing books, they said one of the biggest mistakes of the design of this movement and the leaders of Israel, that they allow about 200,000 Palestinians to remain inside Israel, because now they are creating also a problem for them inside Israel. In Galilee, the majority of the population of Israelis there are Palestinian Arabs. The Jews are the minority. So then, what do you do with this city? You cannot expel them. You cannot eliminate them. You are denying them their national rights. Isn't that what they did in South Africa? Even our South African friends, when they come and visit today, they visit Palestine and Israel, they are stunned. They said that Africa is manifesting itself in this region. It's much worse than the apartheid that they lived through during the white minority regime in South Africa. So I don't think that it's creating problem, especially for American Jews who are liberal and who are very active in social justice issues. You can try to justify for Israel as much as you like, but like one of the publishers said, he took a group of students and visit, go and visit, and you see two realities, the realities of the occupation, the realities of the settlers, and the deprivation of the Palestinian population. Of course, when you go to Ramallah and you look inside the city itself, pretending that it exists in a vacuum, you might come to the conclusion that everything is okay here. But this probably was, if you go to Soweto at that time, in which you're living among hundreds of thousands among blacks, and the security forces of the apartheid regime around the city, besides Soweto, you might think that was okay, not living among each other and life is unfolding and the sun rises from the east and sets in the south. But for a nation living in enclaves like that, isolated islands, was apartheid and it was a dark chapter in the history

of humanity as the Holocaust was a dark chapter in the history of humanity during this time. So it is not a solution. I think the solution of separating, adding an independent state, living in peace and harmony with its neighbors, including the state of Israel, it will create different conditions. It will begin a process of creating conditions of treating each other as equals.

[01:20:00]

And you'll begin from there a process appeal. And who knows what will happen in the future. Look at Germany and France. They were in opposing sides during World War I and World War II. They killed from each other more than what was killed from all previous wars since the beginning of time. Then, years later, they came to the conclusion of the option of war and dominance is not the option to pursue. And they are now the two pillars of the European Union and nothing happens in Europe without agreement between France and Germany. So who knows? If we become independent neighbors, we have tremendous capabilities on the two sides, especially on the human level, that we could do wonders for our people and for the region as a whole. But for that to happen, we cannot do it while one is dominating the other one, occupying the other one, and dehumanizing the other one. We begin by accepting each other as equal, respecting each other, and looking in a peaceful, respectful way of how to cooperate on the basis of accepting a legitimate national vice. We've accepted that Israel is to be a state, not on what it was allowed to be in 1947 and '48, which is approximately half of Palestine. We accepted that they will be in control of more than 3/4 of Palestine. Our state is only going to be 22 percent of historic plans. But the extreme rightists are pushing the envelope even that they don't want to do that. And they have taken the region into a direction which is not congruent with the evolution and the progress of the moment, saying that, well, God gave me the land 3,000 years ago. Still, this is, God is still giving it to you as He did 3,000 years ago. If God gives you more of the land of North America to the red Indians, because only God is thinking of only one group of His children and not thinking of the rest of His children. I hope that all of us are the children of God and He loves all of us and He forgives us for our sins as we learned from Jesus Christ. So I think for today, we are advocating integration, not segregation. Today, we are advocating living together in harmony, in not discriminating, not selling slaves on the market as we used to do less than 200 years ago or so. These are great things that we did, just try to clean our acts of the evil things that we did, against each other in the past. So that is where humanity is taking us forward. Because not taking us back, one dominating the other, using all kind of excuses, including using language in Holy books, which I respect, and but these things, you practice them in your house with you and your God. That's your choice. But to try to use it to impose on others, given the authority that God gave you the power to be his representative on Earth, this kind of religious representation of issues will get us in trouble because that's the accusation against these Islamic fundamentalist groups. They've said they're given, they're saying that God gave them the power to tell us who is righteous and who is the sinner. So if we start accepting the concept that our agents to God on Earth, those agents, we cannot argue with them. If you are the agents of God, you have the whole truth. The argument is finished before you start. The enlightenment told us, separate. Religion, you keep it in your house or in your church or your temple or your mosque.

[01:25:00]

But the way we deal with each other based on different norms of civil rights, civil liberties, it's a different kind of issue. These are all, by the way, all these ideas are the most important contribution of Western civilizations dynamic, although people in the East might dispute that, that they were advocating these things way before Europe and the United States became main players is global issues. For example, China. And I would say that during the last 2,000 years, 1,800 years of them, we were the main player, globally speaking. And there was a deviation for 200 years. Now they're doing the correction. That's what the Chinese said. I don't know Chinese language, but you say that they claim that they are the most archived nation in the whole world. And I appeal to all academic institutions, translate all these archives from China so that we can benefit from what they have for themselves, because we are at a level of globalization which we can benefit from each other, the good news. We don't need the bad news. Anyhow, this is enough for now, and I will be looking forward hopefully soon in visiting your beautiful campus and engaging with you in person.

JABBAR AL-OBAIDI: Thank you so very much, Mr. Ambassador, Dr. Riyad Mansour, for this informative and very frank and friendly and hopeful presentation. And this presentation was sponsored by of course the MENA Studies Program and the U.S. Department of Education and the Minnock Institute for Global Engagement and its global programs. I thank you for our audience, and certainly, we will hope to hear from you and please come back to us when we come back to our normal life post the pandemic, because you have a plan to do so. And we appreciate you sharing the information with us. And I don't know if Dr. Madhu Rao, you have any closing words? Or we just close?

DR. MADHU RAO: Yeah, we just close, but thank you very much. Thank you all for joining us.

DR. JABBAR AL-OBAIDI: Thank you. Be well. Stay safe. Thank you so much.

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Exhibit 262

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[00:00:00]

PRIME MINISTER BENJAMIN NETANYAHU: There are only two ways that you can deal with them. You can either conquer them, and that's always an open possibility, or you can deter them. And we're engaged right now in forceful deterrence, but I have to say we don't rule out anything.

MIKA BRZEZINSKI: That was Israeli Prime Minister Benjamin Netanyahu earlier today amid growing pressure to negotiate a ceasefire with Hamas. The Prime Minister is giving no indication he will draw back attacks, even suggesting the violence could reach another level. Joining us now, Ambassador and Permanent Observer of the State of Palestine to the United Nations, Dr. Riyad Mansour. Also with us for this interview, we have columnist and Associate Editor for the Washington Post, David Ignatius, and NBC News Chief Foreign Affairs Correspondent and host of Andrea Mitchell Reports, Andrea Mitchell. Andrea, I'll start with you, and then you can take it to Mr. Mansour. But first, how would you assess the United States' approach to this problem?

ANDREA MITCHELL: Well, Joe Biden very much believes that to embarrass or confront Netanyahu head on with only backfire, will only make it worse. So he is trying very carefully to give Israel running room. Now, the criticism is it's to much running room and he's giving Israel, which has so much more power than Hamas has, too much ability to hit targets that are very often civilian targets. Israel claims, of course, that these are Hamas using civilians as human shields. But that said, with the media tower, with other targets that have come down, there has been horrible civilian casualties. And he's now really under pressure from democrats, not just the progressive democrats. Tim Kaine was on our show yesterday just really angry and upset that there was not a call for immediate ceasefire. And he says, what the U.S. does in situations like this is call on both sides for an immediate ceasefire and that has not been done. I've called the White House and I don't know why that is not being done.

MIKA BRZEZINSKI: So Mr. Ambassador, how would you assess the United States', the administration's response to this problem so far?

AMBASSADOR RIYAD MANSOUR: First of all, thank you for having me on the show. And we welcome and appreciate any effort by anyone in the international community, by President Biden, by Secretary of State Blinken, to bring an immediate end to this tragedy and aggression against our people in the occupied territory, started in Jerusalem, spilled over to the Gaza Strip, in which, in the Gaza Strip alone, more than 220 people have been killed. Half of them are children, more than 61, 36 women, 16 elderly, and the destruction of over more than 7,000 buildings, some of them high rise buildings, and displacement of 52,000 civilians running for their lives, taking shelters in schools [INDISCERNIBLE] trying to be protected by the United Nations' flags. So what we need is an immediate ceasefire to save lives. Every day we delay putting an end to this aggression, we have large number of civilians being killed, especially children and whole families are being destroyed and killed, mother, father, children under the rubble in buildings. So this situation has to end. And for the U.S. administration, President

Morning Joe Interview (may 19, 2020) Cohen & Gresser LLP July 01, 2021 Transcript by TransPerfect

Biden has [INDISCERNIBLE] to show leadership, global leadership and protectiveness. You want to have ceasefire, deliver it. If you cannot have ceasefire, why are you not allowing us to have something in the Security Council, something in the international community. The continuation of this killing is unsustainable. Those who think that after five rounds of fighting, doing the same wrong thing, expecting different results, is in denial and is not related to reality. What we need, immediate ceasefire. What we need is humanitarian assistance of the Palestinian people, particularly in the Gaza Strip. What we need is a serious examination of the situation.

[00:05:00]

It is not an accident to have an explosion in occupied East Jerusalem, in all of the West Bank, in the Gaza Strip, among the 2 million Palestinian Arab Israelis whom some of them have been lynched, hurt, and 800 of them have been arrested, 172 indictments, not a single one against a Jewish individual in Israel, all of them against Palestinian Arab citizens of the state of Israel. This is the reality that we face. It cannot be resolved through security measures. It has to be resolved through justice and it has to be resolved by ending this occupation. Enough is enough. Fifty-three years of occupation, stealing our land, building illegal settlements, annexation, denial of our rights, 5,000 prisoners at any give time, 1 million Palestinians have been --

JOE SCARBOROUGH: Dr. Mansour, Dr. Mansour --

AMBASSADOR RIYAD MANSOUR: -- visiting prisons over the years. So this is the reality that needs to be addressed.

JOE SCARBOROUGH: Thank you so much. We greatly appreciate you being with us. We have a lot of people who want to ask a lot of questions. And I certainly -- I certainly understand you needing to get that information out. This is a tragedy. It is a tragedy on both sides, but disproportionately, the killing has been on the Palestinian side. We understand that. But we have quite a few people who want to ask some questions. So let me ask you briefly, you are right, this killing is unsustainable on both sides. Do you agree also that Hamas continuing to fire rockets towards civilians in Israel is also unsustainable?

AMBASSADOR RIYAD MANSOUR: The continuing of fighting is unsustainable. What is sustainable is justice. What is sustainable is to put an end to the tragedy of the Palestinian people. We do accept two-state solution on the borders of the 4th of June 1967. The other side is refusing to do that. The other side is resorting one war after another war after another war, denial of our rights, encouragement of extreme rightist elements, to take to the streets like what we've seen in front of Damascus gate, when thugs, extremists, terrorists, Jewish groups were chanting "death to the Arabs, burn their villages." They do that in many other places. How much can we tolerate of this injustice? How much can we tolerate the denial of our rights? Always you talk about the rights of Israel. What about our rights? Do we have the right to resist peacefully? Do we have the right to oppose illegal settlements? Do we have the right to fight for our freedom to practice our religion, whether in the mosque or in the Church of the Holy Sepulchre. Put yourself in our shoes. Go ahead.

Morning Joe Interview (may 19, 2020) Cohen & Gresser LLP July 01, 2021 Transcript by TransPerfect

JOE SCARBOROUGH: And that's exactly what we're saying. We understand, there's a human tragedy here that's unsustainable when we and people across the world see little children dragged out of buildings dead along with women and other people. And we understand. And we've brought up those issues throughout the week in questioning Israeli officials and we will do that again today. I just want to confirm to you briefly, because David Ignatius is here. I just want to follow up with that question. When you say that this fighting is unsustainable, you include in that Hamas firing rockets into Israel as well as Israel continuing to bomb Gaza?

AMBASSADOR RIYAD MANSOUR: You see, Joe, first of all, we appreciate what you are doing on this station and the individuals who tell, from the Palestinian side, who tell our narrative. But if we seek peace and we go to the house of peace, the United Nations, then we are accused that we're trying to isolate Israel. That's not true. And when we go peacefully to the International Criminal Court to say, come and investigate against crimes against humanity. They tell us that this is anti-Semitism. Where should we go? We are seeking peace. They are pushing segments of our political strata and our people to move in a certain direction so that they can label us with the things that they label us with. Why are you not positively responding to the calls of those who want to have peace, but based on justice and fairness?

[00:10:00]

And we hope that President Biden and his administration to show some tough love with Israelis, to be firm, to say enough is enough. If you want ceasefire, you can really bring it to reality with the Israelis and the Palestinian side is ready for that. But just only to --

JOE SCARBOROUGH: All right.

AMBASSADOR RIYAD MANSOUR: -- keep appealing and not allowing, for example, the Security Council to act, is not decisive leadership. The U.S. leadership needs decisiveness, effectiveness, fairness, and justice so that they can assume the role that we hope that they will on bigger issues such as climate change, multilateralism, effectiveness of the United Nations. You have to be fair.

JOE SCARBOROUGH: All right.

AMBASSADOR RIYAD MANSOUR: You have to be fair and you have to be just and decisive.

JOE SCARBOROUGH: Thank you so much, Mr. Ambassador. Ambassador Riyad Mansour, we greatly appreciate you being with us and I hope you will come back soon under better circumstances.

Transcription Certification



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Daniel Boisson Project Manager

Exhibit 263

TV presenter	00:00 Our honored viewers, peace and Allah's mercy and blessings be upon you, may Allah bless you. Al Jazeera Mubasher continues to cover the developments of the situation in the Palestinian territories, as the cease-fire between the Palestinian factions in Gaza Strip and Israel persists on its second day amid Egyptian and American efforts to stabilize it. While life resumed gradually in the Gaza Strip after 11 days of incessant war. Officials stated that Egyptian mediators consulted with the two sides to establish truce. Furthermore, two Egyptian security delegations visited the Palestinian territories and Israel to consolidate the ceasefire agreement in Gaza Strip and Israel. The delegations requested the two sides to implement the Cairo agreement on ceasefire.
Guest:	This is the situation in Sheikh Jarrah. The closure continues. The siege of the neighborhood continues. #SaveSheikhJarrah. That's the hashtag of the campaign if you want to share it
TV presenter	Our honored viewers, as you can see, live from Sheikh Jarrah neighborhood and pro-Palestinian solidarity marches held in Philadelphia in USA are now displayed. And here is a breaking news: according to the French News Agency (AFP): The Security Council urges full adherence to the ceasefire between Israel and the Palestinians. Mr. the Ambassador Riyad Mansour, the Permanent Observer of Palestine to the United Nations is joining us online. Mr. Ambassador, welcome to Al Jazeera Live. So first of all, it ended with a ceasefire these past two days between the Palestinian factions and Israel, but the question itself, Mr. Ambassador, is why did the international community, particularly the United Nations and its various institutions and the Security Council, failed during eleven days to oblige or deter Israel from its acts of aggression against the occupied Palestinian territories?
Guest:	The short answer is that one country wanted the Security Council to take responsibility even in the lightest possible ways so as to end the acts of aggression against the Palestinians. Members of the Security Council, primarily the delegation of Palestine, insisted that the Security Council should bear its responsibility. In the end, we believe that some of those in the Security Council, the General Assembly and the various blocs of the Arab, Muslim, non-aligned, European groups and all our friends have contributed, along with our people's resistance, to put an end to these acts of aggression that we worked on and hoped to end in the first or the second day. However, it ended on the eleventh day.
TV presenter:	Which country stood against the efforts of the Security Council and Member States to stop the Israeli aggression against the Palestinian territories?
Guest:	The United States of America, which had a different view, wanted to work directly with some parties. We keep saying to them and to others that they will never stop on the first, second or tenth day, that they do not want the Security Council to voice its opinion as the world and the Palestinian called for to end these acts of aggression. Anyway, the attacks were stopped thanks first and foremost to the resilience of our people as well as to the favorable and compelling attitudes of the international community, the Security Council, and the General Assembly, in streets and everywhere, which allowed to impose a

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	ceasefire to stop this attack against the Palestinian people. We encourage saving the lives of any Palestinian child. we hoped that this would end eleven days ago. However, the political reality as we all know of the Security Council and other than the Security Council has not reached the level of ending these acts of aggression earlier.
TV presenter:	05:00 Mr. Ambassador, it seems that relying on Biden's administration at least in dealing with the Palestinian cause was different, with the Palestinians suffering generally from the recent Israeli aggression, even the one who preceded him years ago was not right. The United States under the Biden administration did not differ from the Trump's Administration, so to speak. Are these two Administrations similar with respect to dealing with the Palestinian cause and the Israeli attacks in general?
Guest:	I objectively, think that there is a slight difference between the current Administration and the Trump Administration. The Trump Administration is the worst in the history of USA with regard to the Palestinian cause. It cannot be compared with other administrations. Everyone hoped that the new administration, which we know is preoccupied with other issues in the United States which are on top of its priority, would work effectively and actively. However, it lagged behind until this huge explosion occurred and was then forced to involve. We hope that its involvement would be in line with international law, international legitimacy and international collective action, leading to the acceleration of a political process to end the occupation and achieve the Palestinian international settlement.
TV presenter:	In general, Mr. the Ambassador, the United States of America, with its last work regarding the Israeli attack, was not an honest mediator concerning the Palestinian and Israeli conflict.
Guest:	Well, we should all urge this administration to engage as it promised to work with the parties of the international community, whether the Security Council, or the international quartet, and to build on the international unanimous decisions, the international law and the relevant United Nations resolutions, in order to play a responsible role in putting pressure on Israel to stop all violations, whether colonization or annexation, or concerning Jerusalem, Sheikh Jarrah, Bab al-Amud, Al-Aqsa Mosque, in addition to lifting the siege on our people in the Gaza Strip, as well as to engage in a collective international political process to end the Israeli occupation and free Palestine. I know that these questions are not easy, but we must make every effort and force to reap the rewards of the resilience and heroism of the Palestinians in all places where the Palestinian people are on the Green Line, particularly Jerusalem, Al-Aqsa Mosque, Sheikh Jarrah, as well as Gaza, the West Bank and our people in the forty eight lands.

	Mr. Ambassador, in the battle you fought within the Security Council
	and the United Nations institutions during the Israeli attack on Gaza
Tv presenter:	and the Palestinian territories, what were the countries that interacted
	with you most positively and supported you clearly and explicitly?
	I think that fourteen countries agreed to end the attack and the
	Security Council issued its position from the first or second day of this
	attack. However, it is not easy to put this position into practice,
	especially as many countries want the US administration to be part of
	this move and the insistence of the administration not to be part of it.
	Despite this, we exerted a tremendous international effort with all our
Guest:	friends, for the Council to bear its responsibilities without creating
Guest.	confrontational situations that would lead to providing free gifts to the
	Israeli Occupation. Our policy was and still is that we don't want any
	international institution, whether the Security Council, the General
	Assembly or any of the UN Bodies to adopt anything that may harm
	any component of the Palestinian national movement and its
	comprehensiveness of the Palestinian Cause in all its aspects.
	10:00 It seems that the international institutions, during the past
	decades, failed to force Israel to adhere to international agreements,
	norms, laws and resolutions of the international institutions. Mr.
TV presenter:	Ambassador, I know this may be a loaded question, but do you think
	that that this role ended today and that resistance has become the real
	and effective label of the Palestinian people and that to reach at least
	to what satisfies it, and that the reliance on the international
	community ended? or do you have different opinion.
	I think that the Palestinian people's resilience and heroism are always
	the main and important factor. However, the role of the international
	community has not ended and should not end as it decided since 48
	when it adopted the partition resolution, to get involved in the
	Palestinian cause through the United Nations, to acknowledge the
	partition. We say that this international community has historical
	responsibility to remain engaged and involved in this matter until it
	resolves all its aspects, and in a way that meets the aspirations of the
	Palestinian people and its inalienable national rights. Therefore, I
	think that although the international standing sometimes falls short
	due to the obstruction of one country, for example in the Security
	Council, by the will of the Security Council, this role has become useless, or does not meet anything in this conflict. On the contrary,
Guest:	keeping Israel isolated from international forums is in line with
	resilience and heroism of our people and helps in imposing ultimately
	the implementation of the resolutions of the international community
	that call for ending this occupation and free Palestinian people, their
	state, with its capital East Jerusalem. I think that those who believe
	that the problem is the international community, they look at the
	wrong side. The problem is in the occupation and the occupation's
	insistence on imposing its will, denying the rights of the Palestinian
	people and violating the international laws and the support it was
	receiving from the US administration. We need to find a way to
	reduce or end this American support under the administration of
	President Biden to bring the occupation to its knees before the
	international will and the will of the Palestinian people.

Tv presenter:	I mean, excuse me, Mr. Ambassador, in this question. What have you failed in during these 70 years, I do not mean your excellency, but in general this path has failed for 70 years, why is it expected to succeed during the coming period or with the Biden administration, to force Israel to take different positions about what it did over the past decades?
Guest:	I do not know what you mean by the Palestinian National Movement and the Palestinian people failed in
Tv presenter:	No, I mean in relying on international institutions and the international powers, including the United States of America. I do not mean the Palestinian people.
Guest:	I believe that the international community, the United Nations and its components should, that we did not fail when we came to the United Nations with our cause in hands. When the late President Yasser Arafat came in 1975, sorry 74, then 75, when the Liberation Organization represented the Palestinian people in the United Nations. All the subsequent journeys that took place in international forums helped our people and I believe that the formation of the United Nations Relief and Works Agency for Palestine Refugees [in the Near East (UNRWA)] and the countries that provided and still providing the basic services for the Palestinian people, such as education, health, and other matters, even though they do not meet all the needs of the refugees, as well as other matters that helped and contributed in the resilience of the Palestinian people and to give them the opportunity to create their contemporary national movement to confront the occupation and impose the existence of the State of Palestine on the land, even though it is under occupation. All of these are factors that help the Palestinian national movement to bring it closer to realizing the inalienable national rights of the Palestinian people.
TV presenter:	15:00 Yes Mr. Ambassador, today we heard one of high-level officials in the European Union talking about Hamas stating that it became an important party in the political equation and that we should communicate with it, even indirectly, if we want stabilize the situation in the occupied territories in general Does it mean that Hamas' entry on the line would end the idea that the Palestinian Authority is the only legitimate representative of the Palestinian people?? Could be someone else who has effect on anything that happens within the framework of the international community?
Guest:	I believe that the national interest requires the integration of all Palestinian political components within the framework of the representative of the Palestinian people, the only legitimate representative of the Palestinian people which is the Liberation Organization. I wish after this great unity of the Palestinian people in all places would elevate all Palestinian factions to join the Liberation Organization and agree on a political agenda that meets the Palestinian aspirations. This representative defends the interests of the Palestinians without allowing any party to interfere and try to divide us. We are a united nation on the ground and we must be united in politics and in geography together. We may disagree inside Palestine, but when we adopt our policy, we should all unit to defend this policy. I think what happened in the last 11 12 days stresses the need for the unity of the Palestinian standing and for one of us to cancel the other to complement and support each other within the body that represents

	us all I personally think that this reflects the Palestinian national
	interest to the highest possible degree.
TV presenter:	Does the latest American move, even before the last one, impose on the Palestinian Authority, even, I mean, all the Authority's institutions abroad, the idea of balance in dealing with I mean resort to foreign powers such as China and Russia, so that there would be a balance between the American role and these roles towards the Palestinian Cause. Mr. Ambassador Do you think about that?
Guest:	We said a while ago that since Trump Administration. We will not accept unilateral American sponsorship for any political process. We want a collective international action by the Security Council and the quartet, in which no force which wants to contribute to finding a just and comprehensive solution to the Palestinian Cause based on the international law and the UN resolutions is excluded. This will lead us as soon as possible to end this unjust occupation, that destroys our land, desecrates our holy places, and offend our people's dignity, and which will help to live freely and with dignity in our independent state with Jerusalem as its capital. Therefore, we welcome the presence of China, Russia, the European Union, the American administration, the Security Council, countries from Africa and Asia and all the states that are interested in achieving international unanimous decisions or the so-called parameters of how to resolve this conflict. We welcome all of that and we think that this contributes significantly in bringing us closer to the starting point to end this occupation after forcing Israel to adhere to practical steps that would lead to ending this occupation and achieving independence for Palestine.
TV presenter:	20:00 There were some justifications that were put forward by the countries that rushed during the past period to normalize with Israel that this is in the interest of the Palestinian people and the Palestinian cause. Mr. Ambassador, did you feel that the countries which finally normalized with Israel actually worked during the last battle with the occupation, whether at the diplomatic level or at the resistance level in favor of the cause, and did this normalization have an effective impact on the Palestinian cause, or not?
Guest:	I believe those who wanted to deviate from the Arab consensus on the well-known Arab standings at their summits and the meeting of their ministries and foreign ministers, and on the Arab peace initiative and the consensus of the Islamic countries for the Non-Aligned Movement to all pillars of the international community. I think that those who tried to be consistent with Trump's mixed proposition that international consensus, international law and UN readings have old issues and should be replaced by President Trump's vision. I believe that the international community with all its components, including the Arab and Islamic countries, non-aligned and others, have pronounced it and put it aside, and now it is certain every day, including what I have confirmed through discussions in the Security Council and the General Assembly, that nothing can be done without the international consensus, which must be that this occupation must end on the basis of international law, relevant United Nations resolutions and on the basis of the Arab Peace Initiative. Therefore, I state that those who wanted to take another path are a few and they have no impact and were put aside.

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Tv presenter:	Has the deal of the century ended? Has this project ended after the last eleven days that we have witnessed?
Guest:	I think that those who thought that Jerusalem was given as a gift to the Israeli occupation by President Trump. Jerusalem has its people defending it, and Al-Aqsa and Al-Haram Al-Sharif have its fighters to protect it, and Sheikh Jarrah, as well as all components of the occupied East Jerusalem Let's see if Trump and Netanyaho were able to impose that Jerusalem is their capital, or that it is the Capital of the Palestinian people and their families, who defend it day and night. I believe that the final battle proved that the subject of Jerusalem is not settled, as Netanyaho claims for Israel. I also know that this battle is part of ongoing battles until the Occupation admits and acknowledges the rights of the Palestinian people, in the heart of them and in the forefront of which is Jerusalem and the most important of which is the Al-Aqsa Mosque, and Church of the Holy Sepulchre.
TV presenter:	Yes. Mr. Ambassador, in one of the few times we heard voices, and you certainly followed that, from the US Congress and within the Democratic Party criticizing the Israeli occupation and in solidarity with the Palestinian people in generalwhat do you think about that?
Guest:	25:00 There are changes in the American society, whether within the ruling Democratic Party, the Congress, authority, streets, universities or civil society organizations, they all shout that there can be no progressive wing in the Democratic Party without being sympathetic to the issue of fairness, truth and justice for the Palestinian people against this injustice and tyranny by the Israeli occupation authority. It is remarkable that in the last ten of eleven days ago, tens of thousands marched, some people say that they were more than fifty thousand people who protested against Israeli occupation and, in solidarity with the Palestinian people in Brooklyn. Twenty five thousand protested in the city of Chicago and in dozens of American cities, where Palestinians and American Arabs, Jews, progressive forces, black people, Latinos, and clergymen all participated hand in hand, exerting pressure on Biden Administration to take the right move as soon as possible. And when you see a female activist from Palestine, a member of Congress, like Rashida Tlaib, giving a highly influential speech in defense of the national rights of the Palestinian people from within Congress, the voice of the Palestinian people came through her, loud and influential. These are the factors that we see and that we must interact with in order to bring about a change in managing this administration in its involvement in the Palestinian cause and the Palestinian-Israeli conflict

TV presenter:	Mr. Ambassador, I do not want to trespass too much on your time, but let me ask you a question, a personal one, if you will If you have to choose now between the project of resistance against Israel and what it has achieved in the last period, and between the Oslo agreement, which is to rely on international powers and state institutions, what would you choose Resistance project or Oslo agreement that rely on international forces?
Guest:	I think that the question is unfortunately misplaced. I do not perceive a separation between the Palestinian people's resilience and their resistance, which they have the legitimate right to engage in since the first day of the occupation, and the use of all of that in international and political forums to enable the people to resist the occupation that it calls for the end of occupation and freedom of the people of Palestine, and I think it is wrong to try to separate the political conflict that is in harmony with this logical resistance of the Palestinian people. Therefore, they are complementary to each other and go together. We must always be aware that this heroic resistance has political goals, on top of which is ending the occupation. In our political and diplomatic work, especially in the United Nations, we do not have higher goals than ending the occupation and supporting our people and we support and strengthen our people with the same resistance and determination, heroism and resilience, when they gave us the strength to defend it in all possible ways and in the most creative and skillful ways in all political and diplomatic forums.
Tv presenter:	Alright, Mr. Ambassador, regarding Lincoln's tour this weekend, and before I ask this question, we have a breaking news on our screen now. The French Mission to the United Nations: A French effort to obtain a resolution on the situation in the Middle East stopped again, the French mission to the United Nations: The French effort to issue a resolution regarding the situation in the Middle East has been suspended. Mr. Ambassador do you have any information about this news of the French mission?
Guest:	I did not understand, what did the French mission do?
Tv presenter:	Forgive me, it is a breaking news as displayed now, France suspended its efforts to issue a resolution on the situation in Middle East I do not have much information now Do you have any information about what France did to stop it and work on stopping it in the United Nations?
Guest:	30:00 I know that since day one of this attack, that efforts have been made, in coordination with us and with our friends in the Security Council, to make the council responsible for finding a solution that will contribute to stop this attack, and I said: These efforts were hindered due to the attitude of one country. We are grateful to the three countries that responded to our request to hold a first Security Council meeting, followed by six other countries to become nine, in requesting to hold a closed formal meeting, not AOP, i.e. not a consulting session, as part of the new work on the agenda of the Security Council, and it has met since the first day of this closed session in response to our request, and one item on its agenda was to discuss the suspension of the attack on the Palestinian people and the proposals made by Tunisia, Norway and China together after their request added six other countries, and they become nine including France. When they did not succeed with the American disruption, they

> met the next day for an official meeting at one point to discuss a way out, and that was disrupted, then a meeting was held after that under the new AOP work, but they disagreed on everything. After these disruptions, we asked by a written and official letter that an open session be held on Friday to announce to the people far and near who is disrupting and who wants to stop this aggression. The US administration confronted us and wanted to hold it on Tuesday, and after pressure, tension and looseness, the members of the Council reached to hold the open session, which was attended on Sunday by 9 foreign ministers, including the Deputy Foreign Minister of Russia, which was broadcast live on your television and foreign televisions. We continued with this effort until the ceasefire agreement. Some of our friends insisted that something should be issued, and we have been working all day and all night and, including the [illegible], the Norwegians and others, to have a standing. After the hostile and aggressive attack on our people has stopped, if they adopt something, we do not mind, and if they do not adopt, then the situation will be fine, but many friends insist on the fact that the council must have a voice, and we were insisting that nothing harmful will be issued. And if things went as decided minutes ago, at the beginning of this meeting, what we are supposed to adopt is a press release covering four points: We welcome the ceasefire, salute Egypt and others who helped in this matter, and supported the Palestinian and Israeli civilians victims, and call for humanitarian aid and approval of the Secretary-General's declaration on this matter. United Nations agencies should play their role in implementing this and, finally, emphasizing an international resolution.

TV presenter:

Yes. Mr. Ambassador Riyad Mansour, Permanent Observer of Palestine to the United Nations, you were with us online, Thank you very much

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